

The Solicitors' Journal

VOLUME LXXVII—(Part I)

1933

JANUARY to JUNE.

ALL RIGHTS RESERVED
PRINTED BY THE
SOLICITORS' JOURNAL

LONDON :

PUBLISHED AT THE OFFICES OF THE SOLICITORS' JOURNAL,
29-31 BREAMS BUILDINGS, E.C.4.

1933.

State of
Virginia

CUL

Abus
Acqu
Di
Acro
Adul
Advo
Agric
of,
Altru
Amb
Amb
And
Annu
App
App
31
Arisi
Baili
Bar
Briti
Buile
Carr
Case
Chec
Chile
Chun
Chun
Chun
City
Coal
Codi
Com
Com
Com
H
Com
Com
Con
P
Con
85
Con
Cop
Cop
Coro
Cou
Cros
Cru
Curi
Dan
Dan
Dan
Deb
U
Del
Div
Dru
Eas
Ele
Eng
Ent
Ent
Exc
Fac
Fin
Fra
I
Gas
Gov
Gra
Ha
Hig
I
Hig
2

GENERAL INDEX.

CURRENT TOPICS.

Abuse of Rights, 309.
Acquisition of Land by Local Authority outside District, 326.
Acrobatics and "Manual Labour," 37.
Adulteration Prosecutions, 346.
Advowsons, Sale of, 206.
Agricultural Holding, Arbitration as to Rent of, 206.
Altruism, Costly, 431.
Ambassadors, Lawyer, 361.
Ambulance Scandal, 54.
And/or, 126.
Annuity—Recovered Income Tax, 430.
Appeal, One-sided Right of, 345.
Appeals from Courts of Summary Jurisdiction, 310.
Arising out of—, 147.
Bailment, Involuntary, 410.
Bar Council's Annual Statement, 17.
British Celanese Case, 126.
Building Subsidies, 185.
Carriage of Goods by Air, 273.
Case Law: Is there too much of it? 69.
Cheques, Stopping, 345.
Child's Religion, 185.
Church, Brawling in, 38.
Church, Regimental Colours in, 431.
Churchyards, Marble Monuments in, 258.
City Remembrancer, 165.
Coal Trade, 1932, Statutory Provisions, 106.
Codification, A Demand for, 2.
Common Employment, 241, 394.
Company Pretending to be a Solicitor, 70.
Compensation for Slum Clearance, Minister of Health and, 187.
Compensation for Volunteers, 378.
Compensation or New Lease, 222.
Concealment of Names of Parties to Legal Proceedings, 166.
Contract: Tender of "Commercial Equivalent," 89.
Contracts, Every-day, 242.
Copyright, Infringement of, by Wireless, 241.
Copyright, Perpetual, 290.
Coroner's Inquests *in camera*, 431.
County Court Costs on the Higher Scale, 394.
Crown Lands, 18.
Cruelty to Dogs Act, 393.
Current Account, On, 258.
Damages and Tax Deduction, 410.
Dangerous and Unreliable Practice, 167.
Dangerous Drugs Law, Enforcement of, 2.
Debentures issued within Six Months of Winding Up, 54.
Delay, The Law's, 431.
Divorce Cases, Hotel Evidence in, 106.
Drugs and Alcohol in Germany, 90.
Easter Law Sittings, 289.
Election by Lot, 257.
English Use, The Lawful, 38.
Entertainment Tax, Public Dinners and, 18.
Enticement Again, 147.
Excess Profits Duty Interest, 70.
Factory Adjuncts—Liability to Tax, 53.
Finance Act, 1922, s. 20, 274.
Fraudulent Preference: Evidence Required, 146.
Gas Companies, Position of, 106.
Government Advertising, 290.
Grand Jury Doomed? Is the, 185.
Habitual Criminal, 222.
High Court's Jurisdiction for Contempt of Inferior Court, 205.
Highway Obstruction by Building Operations, 257.

Hilary Law Sittings, 2.
Hilary Term, 1.
House, Access to, from Highway, 393.
Housing Requirements, 431.
Humour in Law Books, 125.
Income or Capital Asset, 221.
Income Tax, Assessment and Abatement of, on Partnership, 1.
Income Tax, Saving, 125.
Income Tax on Stud Farm Profits, 186.
Industrial Assurance Report, 70.
Initials, 289.
Insurance, Illegal, 89.
Interpleader Decision, 274.
Judge, The New, 345.
Judges, English and Scots, Interchange of, 377.
Judgments, Amendment of, 431.
Judicial Erudition, More, 54.
Juror, Contempt by, 362.
Juror's Objections to the Law, 378.
Jury, Trial by, 378.
Jury's Deliberations, Evidence of, 362.
King's Counsel and the Crown, 145.
Law and Ethics, 205.
Law Courts, Jubilee of, 17.
Law Society: Council's Annual Report, 431.
Lawyers and Gratuitous Service, 165.
Libels on Companies, 165.
Licences, In-or-out-of-date, 325.
Licensed Premises and Goodwill, 222.
Local Authorities and Legal Advice, 290.
Lord Hanworth's Committee: Recommendations of the Solicitors' Managing Clerks' Association, 309.
Lords of Appeal as Judges of the High Court, 221.
Lotteries and Betting Report, 409.
Machinery, Dangerous, Statutory Duty to Fence, 145.
Manslaughter and Dangerous Driving, 54.
Marble Monuments Again, 361.
Marketing Bill and Ancient Market Rights, 258.
Married Women and their Names, 53.
Masculine Moral Reputations, 105.
Master, Chief Chancery, 393.
Masters in the Chancery Division, 37.
Middlesex Grand Jury, 241.
Moorings, Rateability of, 146.
Name? What's in a, 346.
New Laws, 1.
Novelists and the Law, 107.
Novelists' Law, 147.
Omnibus Law, 37.
Owner's Risk, 126.
Oxford and Asquith, Tributes to Lord, 273.
Pavement, Carriage Entrance over, 430.
Pharmacy and Poisons Bill, 186.
Physical Exertion and "Accident," 90.
"Physician—Heal Thyself!" 126.
Point, Often Overlooked, 221.
Police and Crime Detection, 166.
Police Reforms, 346.
Police, Metropolitan, Report, 325.
Prescribing Against the Crown, 53.
Prisons Report, 325.
Procedure, Reform of: A Minor Example, 242.
Proctor, The King's, 167.
Profits, "Illegal": Liability to Tax, 69.
Prohibition and *Certiorari*, 362.
Quarter Sessions, Paid Chairman of, 409.
Railway Restrictions and the Salter Report, 69.
Recitals and Operative Part of Deed, 273.
Recorderships, 206.
Recovery of *Ultra Vires* Loans, 310.
Rent, etc., Restrictions (Amendment) Bill, Intention and Effect of, 89.

Rent, etc., Restrictions Bill: A Protest, 166.
Rescuers and Contributory Negligence, 106.
Schools and Nuisance, 55.
Science and the Standard of Living, 430.
Scots Judge, A New, 105.
Scottish Procedure, Reform of, 257.
Sea and River Pollution, 90.
Short Cuts, 410.
Shorthand Notes, 326.
Shorthand Writers in the Courts, 310.
Slaves, Emancipation of, 206.
Smoke Abatement, 18.
Spiritualists and the Law, 377.
Statutes Unregarded, 205.
Tote, The Peripatetic, 326.
Town Councillor, Removal from Office of, 361.
Trading under Adopted Name, 186.
Trinity Law Sittings, 409.
Urban Authorities and Private Square Gardens, 394.
Wild Birds' Protection, 146.
Witnesses' Difficulties, 17.

LEADING ARTICLES.

Administration of Justice (Miscellaneous Provisions) Bill, 363.
Agreement, An Illegal, 379.
Air-Carriers, Liability of, 348.
Apprenticeship Agreements, 223.
Betting, Interim Report, 19.
Bill of Exchange, Material Alterations in, 311.
Birkenhead: The First Phase 412.
Cestui Que Trust *versus* Lessee, 347.
Champertous Agreements by Solicitors, 188.
Charging Orders, Some Points on, 292.
Charities, Too Many, and the Remedy, 108.
Churchyards, Monuments in, 379.
Common Employment, Doctrine of, as applicable to Plant and Machinery, 276.
Contracts, Rescission and Variation of, Required to be Evidenced in Writing, 19.
Coroner and his Jurisdiction, 149.
Costs—Agency Terms, 22.
Costs—Conveyancing Charges, 400, 275.
Costs—Non-Contentious Work, 380.
Costs, Recovery of, in respect of Fees Paid to Counsel, 348.
Costs: The Acts and Other Authorities, 56, 130.
Courts, Business of, Committee—Interim Report, 167.
Damages, Actions for, by Injured Workmen, 329.
Defamation and Payment into Court, 40.
Distress, Law of, Bills of Sale and, 261.
Distress for Taxes, 4.
Divorce of British Subjects in France, Doctrine of the *Renvoi*, 396.
Enticement, Damages for, 73.
Equity, English, Grafting of, on Colonial Law, 432.
Exchange, Rates of, and Investments Abroad, 226.
Foreign Judgments (Reciprocal Enforcement) Bill, 189.
Illness, Temporary, and Wages, 224.
International Law and the Russian Prisoners, 207.
Investments Abroad, Rates of Exchange and, 226.
Land and Estate Topics, 61, 134, 211, 298, 369.
Land Registry Report, 312.
Landlord and Tenant Act, 1927: "A Suitable Tenant," 93.

Landlord and Tenant Act, 1927: "The loss he would suffer," 328.
Landlord and Tenant Act Problem, 4.
Liquidators and Personal Liability, 435.
Litigation, Cost of: More Elasticity Needed, 411.
Local Government Reform, 207.
Loitering with Intent to Commit a Felony, 152.
Loss, Division of, by Land and Sea, 260.
Maintenance, The Burden of, 149.
McCardie, Mr. Justice, 291.
Mortgagees, The Position of, of Undivided Shares on an Appointment of New Trustees in place of the Public Trustee, 437.
Motor Car Cases, Documentary Evidence in, 327.
Motor-Car Services: Minister's Powers, 243.
Negligence—Doctrine of Identification, 55.
Negligence, Solicitor's, in Litigious Cases, 434.
"New Procedure" Problem, 244.
Opening of the Royal Courts of Justice, Ulster, 395.
Pavement, Carriage Entrance Over—A Householder's Right, 435.
Per Quod Servitium Amisit, 169.
Pound-Breach, 293.
Public Trustee's Report, 380.
Quarter Sessions and the Advocate, 39.
Restraint of Trade, 363.
Roads, Private, The Adoption of, 413.
Sale, Bills of, and the Law of Distress, 261.
School, Accidents at, Responsibility for, 72.
Sur-Tax Assessments—A Recent Decision, 71.
"Temporary Building"? What is a, 128.
Tenant's Covenant to Insure, 313.
Toll Survival, 226.
Town and Country Planning Act, 1932, 92, 107, 127, 148, 168.
Trusts, Protective, 243.
Ulster, Opening of the Royal Courts of Justice, 395.
Warranties, Continuing, 328.
Workmen, Injured, Actions for Damages by, 329.

COMPANY LAW AND PRACTICE.

Cash Paid to the Company, 94.
Company's Lien on its Shares, 244.
Dividends, Guarantees of, 413.
Finance Act, 1927, s. 55, 208.
Members, Number of, of a Company, 438.
Memorandum, Alterations to the, 169.
Payment for Shares, 56, 73.
Preferential Debts in a Winding Up, 109, 131.
Preferential Payments and De-Rating, 41, 150.
Quorum at Meetings, 365.
Review of 1932, 5.
Shares, Cumulative or Non-Cumulative Preference, 349.
Shares, Forfeiture of, 263, 277.
Shares, Superfluous Preference, 381.
Shares, Transfer of, 294, 313, 330.
Stannaries, 397.
Transfers, Execution of, 22.
Unregistered Companies, 190.
Winding Up, Contributory's Petition for, 227.

CRIMINAL LAW AND PRACTICE.

Accessories after the Fact, 91.
Autrefois Acquit, 275.
Bail, 3.
Breaking and Entering, 291.
Customs and Excise Penalties, 311.
Extradition to and from Foreign Countries, 127.
Extradition within the Empire, 187.
Informations, Dismissal of, 71.

King's Evidence, 223.
Mischief, Public, 259.
Preventive Justice, 39.
Trial, Choosing the Mode of, 432.

CONVEYANCER'S DIARY.

Adamson Case, 331.
Administration of Assets, Order of, 382, 414.
Appeal from Dismissal of Application under s. 84 of L.P.A., 1925, 367.
Assets, Order of Administration of—Lapsed Share of Residue, 382.
Assignment, Effect on Powers of Advancement of, by Beneficiary, 278.
Charitable Trusts, 57, 74.
Covenant to release Power of Appointment, Effect of, 295.
Estate Duty—Settlement Reserving Powers to Settlor to Appoint Capital and Income, 23.
Misdescription in Particulars of Sale—Underlease offered instead of Lease, 366.
"Others or Other," Meaning of, in Class Gifts, 263.
Partnership Property and the Transitional Provisions of L.P.A., 228, 314.
Powers of Attorney, 42.
Restrictive Covenants, Dismissal of Applications to Discharge—Right to Appeal, 350.
"Securities, Real," Meaning of, 398.
Settled Land Held on Trust for Persons in Undivided Shares, 439.
Timber, Reservation of—Right of Removal, 6.
Trusts, Charitable, 57, 74.
Trusts, Protective, 94, 110, 132, 151, 170, 192, 209, 246.

LANDLORD AND TENANT NOTE-BOOK.

Agricultural Holding: The Term, 264.
Assignees, Equitable, of Terms, The Position of, 111.
Cestui que trust as Agent, 383.
Compensation demanded by Forfeiture Notice, 96.
Concealment of Material Fact, 7.
Controlled Premises, Death of Tenant of, 246.
Conversion, Liability for, 400.
Estoppel, Acquiescence, and Notice to Quit, 171.
Expiration of Tenancy, Landlord's Acceptance of Money After, 43.
Goodwill and Improvements, Claim for, under Private Statute, 76.
Grass Keep, Sale of, 315, 441.
Leases of Stock, 59.
Lessor's Adjoining Property, Ways over, 440.
Maintenance, 210.
Nuisance and Annoyance, Difference between, 193.
Rent, Liability for, after Death of Tenant, 24, 76.
Rent, Prepayment of, 351.
Repairs Effected by Covenantee, 279.
Specific Performance and Damages, 229.
Specific Performance, Action for, in County Court, 332.
Sub-Tenants and Removal of Fixtures, 415.
Underlease modelled on Head Lease, 367.
Verbal Tenancies, 133.
Weekly Tenancies, Determination of, 296.

COUNTY COURT LETTER.

Agistment, Contract of, 441.
Amusement Caterers, Liabilities of, 316.
Bankruptcy, Recent Decisions, 134.
Bets, Ante-post, Legality of, 211.
Bill of Sale, Validity of, 441.

Cattle Warranties, Scope of, 9.
Contracts of Domestic Servants, 384.
County Council's Liability for Tenant Right, 112.
Directors' Qualification Shares, 384.
Distress in Voluntary Winding Up, 172.
Doctors, Remuneration of, 247, 316.
Dog Owners, Rights and Liabilities of, 332, 384.
Education Authorities, Liabilities of, 280.
Employment, Whole-Time, Definition of, 60.
Estate Agents' Commission, 77, 400, 416.
Evesham Custom, 44.
Executor's Right of Retainer, 247.
Fisheries, Inshore, Protection of, 194.
Fixture, "Easiwork" Cabinet as, 368.
Gala Promoters, Liabilities of, 25.
Garage Proprietors, Responsibilities of, 60.
Grass Keep, Validity of Sale of, 230.
Greyhounds, Racing, The Maintenance of, 368.
Greyhound Warranties, Scope of, 172.
Hairdressers, Liabilities of, 400.
Hire-Purchase, Conversion of Goods on, 352.
Hotel Proprietors, Rights and Liabilities of, 25.
Injuries, Personal, from Dangers Underfoot, 152, 265, 416.
Insurance Policy, Third Party, Scope of, 230.
Intestacy of Statutory Tenant, 112.
Landlord and Tenant Act, 1927, 44.
Landlord, Composite Persons as, 401.
Medical Referees, Finality of Certificates of, 280.
Motor Car, Definition of 1932 Model, 97.
Motor Coach Parties, Accommodation of, 25.
Nystagmus and Workmen's Compensation, 368.
Occupation, Actual, The Importance of, 368.
Osteo-Myelitis and Workmen's Compensation, 60.
Partnership, Dissolution of, 441.
Patentees, Rights and Liabilities of, 333.
Personal Injuries from Dangers Underfoot, 152, 265, 416.
Pig Breeders, Rights and Liabilities of, 194.
Presents, Return of, after Broken Engagement, 352.
Price Maintenance Agreements, Validity of, 9, 134, 265.
"Profits," Definition of, 194.
Receipt as Bill of Sale, 211.
Receiver, Validity of Appointment of, 211.
Seedsman, Rights and Liabilities of, 97.
Shareholders' Right of Rescission, 333.
Silicosis Scheme, Scope of, 44, 265.
Solicitor's Retainer, Scope of, 153.
Testators' Gifts *Inter Vivos*, Validity of, 96.
"Tote" Clubs, Contracts of, 281.
Wife's Debts, Husband's Liability for, 297.
Wives, Insane, Torts of, 77.
Workman's Eye Injury, Liability for, 297.
Workmen's Compensation, Agricultural Disease and, 77.
Workmen's Compensation, Marine Engineers and, 172.
Workmen's Compensation, Nystagmus and, 368.
Workmen's Compensation, Shop Managers and, 352.

PRACTICE NOTES.

Debtors Act (Matrimonial Causes) Jurisdiction Order, 1932, 175, 281.
District Registries: New Forms of Writ and Appearance, 97.
Restrictive Covenants—New Rules as to Procedure and Fees, 134.
Rules of the Supreme Court (No. 1), 1933, 441.

CORRESPONDENCE.

Appeal from Refusal of Order under s. 84 of L.P.A., 1925, 370.
British Russian Gazette and Trade Outlook, Ltd. v. Associated Newspapers, Ltd., 99.

Charities, Too Many, 174.
Conversion Commission, Five Shillings per cent., 156.
Conveyancing Costs, Tables of, 8.
Costs. Conveyancing Charges, 297.
Enforcement of Order after Bankruptcy Notice, 78.
Law Association, 443.
Law Courts, The Jubilee of, 45, 61.
Leases, Costs of, 78, 99.
Novelists and the Law, 156, 174.
Railways (Valuation for Rating) Act, 1930. In the Court of Railway and Canal Commission, 233.
Rent Acts, 174.
Rent, &c., Restrictions Bill: A Protest, 194.

OBITUARY.

Agate, Mr. S. E., 174.
Anderson-Ashton, Mr. R. A., 234.
Anglin, Mr. F. A., 174.
Bailey, Mr. E. H., 156.
Bardsley, Mr. F. S., 174.
Beard, Sir Lewis, 214.
Beaumont, Major G., 369.
Blood, Mr. A., K.C., 417.
Bodkin, His Honour M. M., 401.
Boorman, Mr. F. W., 384.
Bowen, Sir T. C. G., 13.
Bradley, Mr. W., 99.
Brakenridge, Mr. A., 401.
Brett, Mr. A., 444.
Brevitt, Sir H., 298.
Brooke, Mr. W., 369.
Bushell, Mr. C. N., 214.
Butlin, Mr. J. F., 234.
Chalker, Mr. H. C., 369.
Chilcott, Mr. R. H., 214.
Clarkson, Mr. H. W., 285.
Clayhills-Henderson, Mr. T., 234.
Cook, Mr. W., 45.
Crickett, Mr. G. W., 82.
Crockford, Mr. A. L., 82.
d'Almaine, Mr. H. G. W., 248.
Davidson, Mr. W. A. G., 369.
Davies, Mr. A. R., 234.
Davies, Mr. E. R., 417.
Davy, Mr. T. A. L., 135.
Dean, Mr. C. F. E., 26.
Deane, Mr. E. E., 45.
Deighton, Mr. T. H., 61.
Dickie, Mr. A. A., K.C., 401.
Dunbar, Mr. E., 285.
Edmonds, Mr. D. J., 99.
Elder, Mr. G., 285.
Elliott, Mr. V. J. H., 174.
Ewart, Mr. J. S., K.C., 135.
Ferrier, Mr. R. F. E., 339.
Fisher, Mr. W., 266.
Fleming, Mr. G. F., 444.
Ford, Mr. A. Ranken, 61.
Freeman, Capt. R. Scott, 444.
Freeman, Mr. H. H., 384.
Freeman, Sir P., 285.
Furness, Mr. W., 26.
Fyfe, Mr. W., 13.
Gates, Mr. E. D., 353.
Geare, Mr. J. W., 234.
Gleeson, Mr. M., 13.
Goodbody, Mr. L., 61.
Grant, Mr. Justice, 13.
Gulliford, Mr. E., 99.
Harcourt, Mr. H., 135.
Harding, Mr. H. H., 214.
Harris, Mr. A. C., 82.
Harrison, Mr. M., 369.
Henry, Mr. J., 266.
Hewett, Mr. J., 417.
Hodgson, Mr. G. W., 82.
Howe, Mr. A., 174.
Howell, Mr. R. J., 82.
Hudson, Mr. J. A., 175.

Johnson, Mr. A. A., 115.
Jones, Mr. W., 369.
Jordan, Mr. P. H., 353.
Kay, Mr. J. S., 248.
Kempson, Mr. E., 299.
Kenrick, Mr. L., 417.
Kingsford, Mr. J., 26.
Landon, Mr. H. P., 214.
Lax, Mr. W., 156.
Lee, Mr. H. B., 318.
Lemon, Mr. A. H., 45.
Lewis, Mr. E. P., 266.
Lowenthal, Mr. C. F., K.C., 115.
Marey, Mr. G. N., 413.
Maton, Mr. L. J., 298.
McCardie, Mr. Justice, 298.
Metcalfe, Mr. W. T., 82.
Moore, Mr. J., 194.
Mossop, His Honour L., 266.
Neal, Mr. A., 82.
Newstead, Mr. E. C., 402.
Nicol, Mr. M., 61.
Nye, Mr. H., 384.
O'Shaughnessy, Sir T., K.C., 174.
Padley, Mr. A. A., 156.
Page, Mr. S. W., 339.
Papworth, Major O., 99.
Parker, Mr. H., 369.
Parker, Mr. J. T., 384.
Peard, Mr. H. T., 417.
Peckham, Mr. A. W., 13.
Perdue, Hon. W. E., 45.
Pettite, Mr. G. I., 156.
Phillips, Mr. T., 136.
Phillips, Sir W. W., 401.
Procter, Mr. A., 115.
Rees-Davies, Sir C., K.C., 82.
Reid, Mr. A. G., 14.
Renton, Sir A. W., K.C., 444.
Reveley, Mr. T., 45.
Rhodes, Mr. S., 318.
Roberts, Mr. W., 156.
Roper, Mr. J. J., 99.
Sanders, Mr. H. A., 136.
Sandhurst, Lord, 26.
Saunders, Mr. A. L., 82.
Schultess-Young, Mr. H. S., 318.
Scott, Mr. G. A., 234.
Scott, Mr. G. R., 99.
Scott, Mr. W., 298.
Sharman, Mr. H. Reid, 194.
Simpson, Mr. W., 115.
Smith, Mr. D. D., 298.
Spencer, Mr. R. H., 156.
Stevenson, Mr. J. R., 266.
Synes, Mr. R. A. C., 318.
Tatham, Mr. H. L., 26.
Taylor, Mr. A. W., 298.
Taylor, Mr. J., 417.
Thornton, Mr. P., 248.
Turner, Mr. W. Triggs, 61.
Underwood, Mr. J. J., 14.
Upton, Mr. R. P., 266.
Vickers, Mr. C. E., 444.
Waldie, Mr. C., 194.
Watson, Mr. R. A., 214.
Weston, Mr. G. A., 248.
Wood, Mr. W., 339.
Woods, Mr. J. C., 339.
Wright, Mr. H. T., 115.
Yarborough, Mr. A. C., 339.
Yeo, Mr. H., 318.
Young, Mr. C. P. R., 115.

REVIEWS.

Agency, The Law of [Powell], 212.
Ashburner's Principles of Equity [Browne], 444.
Banking Law [Wallace and McNeil], 212.
Barker's Commercial Credits, Law of [Gutteridge], 98.
Birkenhead, Frederick Edwin Earl of: The First Phase [Birkenhead], 444.

Building Societies, Incorporated, Law and Practice Relating to [Best], 98.
Children and Young Persons, The Law as to [Bullock], 334.
Companies Act, 1929, with special reference to Scotland [Bennett], 334.
Company Law [Ranking and Spicer], 230.
Company Law, One Thousand Questions and Answers on [Ashton], 370.
Comparative Legislation and International Law, The Journal of, 175.
Dayes' Handy Book to Solicitors' Costs, 282.
Directors of Limited Companies, The Liabilities of [Geddes], 334.
Every Man's Own Lawyer, 98.
Evidence in Criminal Cases [Shaw], 60.
Evidence, The Law of [Hibbert], 374.
Glen's Public Assistance [Glen and Ashford], 230.
Harris and Wilshe's Criminal Law, 267.
Historical Introduction to English Law and its Institutions [Potter], 176.
House of Lords or Senate? [Headlam and Cooper], 14.
Housing and Planning, Outlines of the Law of [Clarke], 79.
Income Tax and Sur Tax Practice [Boydon], 136.
Inland Transport, Law of [Gunn], 98.
Inspection of Deeds, A Guide to the [Fearnley], 352.
Judicial Maid-of-all-work [Shennan], 402.
Juridical Review, 28, 212.
Land Charges Act, 1925, Practical Guide to [Cosway], 230.
Liquidators, Trustees and Receivers, Rights and Duties of [Ranking, Spicer and Pegler], 14.
Local Government of the United Kingdom (and the Irish Free State), Outlines of [Clarke], 98.
Love-in-Law [Rubinstein], 29.
Lunacy Accounts [Keely], 316.
Magisterial Law, 1932 [Lieck], 282.
Marketing of Literary Property [Thring], 267.
Master and Servant, The Law of [Batt], 417.
Medico-Legal and Criminological Review, 136.
Mercantile Law, Lectures on [Emanuel], 212.
Notable British Trials—The Royal Mail Case [Brooks], 299.
Old Bailey [Crew], 443.
Orator of Justice: A Speech Biography of Viscount Buckmaster [Johnston], 28.
Palmer's Company Law [Topham], 402.
Palmer's Company Precedents, Part II [Topham, Taylour and Topham], 113.
Patents and Designs Acts [Marks and Wolstenholme], 231.
Private Companies: Their Management and Statutory Obligations [Jordan and Borrie], 46.
Procedure, Tables of [Nelson], 46.
Procedure, The Law of [Hibbert], 353.
Public International Law Cases, Annual Digest of [Williams and Lauterpacht], 46.
Rating and Assessment in (and outside) London, Simplified Guide to [Cockshaw], 370.
Real Property, Modern Law of [Cheshire], 231.
Scott, Sir Walter, and Scots Law [Marshall], 14.
Secretary's Manual [Haydon and Garnsey], 370.
Solicitors, The Law as to: Based on the Solicitors Act, 1932 [Herbert], 78.
Specific Performance Practice [Wontner], 353.
Sports and the Courts [Lex], 352.
Stock Exchange Official Intelligence for 1933 [Satterthwaite], 316.
Stone's Justices' Manual, 1933 [Dingle], 197.
Surtees, Robert Smith [Watson], 385.
Tariff, The General, of the United Kingdom [Harvey], 231.
Town and Country Planning Act, 1932 [Meston], 29.

Town and Country Planning, Complete Law of [Hill and Naylor], 266.
Town and Country Planning, The Law of [Hayward and Wright], 385.
Town and Country Planning, The Law of [Safford], 370.
Town and Country Planning, The Law Relating to [Jennings], 78.
Transport Undertakings, Rights and Duties of [Davies and Landau], 417.
Tribunal, 46.
Tristan da Cunha's Past, Glimpses of [Gane], 29.
Who's Who, 1933, 153.
Workmen's Compensation, Butterworth's Digest of Leading Cases on [Noakes], 231.
Workmen's Compensation: its Medical Aspect [Collie], 136.

IN LIGHTER VEIN.

Ambiguous Verdict, 113.
American Jurist, 429.
Anniversary, The Week's, 9, 26, 44, 63, 77, 97, 112, 135, 157, 175, 196, 214, 234, 248, 266, 281, 299, 318, 333, 353, 371, 387, 401, 420, 443.
Awkward Swallows, 9.
Bearing the Palm, 266.
Bench to Saddle, 266.
Bigamy's Apologies, 443.
Call, A Small, 353.
Cases, All Those, 401.
Chance Remark, 318.
Confined to Court, 387.
Conjugal Portraiture, 26.
Divorce Fictions, 248.
Duelling Revived, 387.
Ely Place and the Law, 45.
Engaged Elsewhere, 333.
Fabricated Documents, 26.
Fees are Fixed, How, 63.
Fire in the Temple, 214.
First Bow, 157.
First Step, 97.
Hard of Hearing, 281.
Humility by Tradition, 113.
Hunting Judges, 9.
Influential Dog, 77.
Jew, A Great, 281.
Judges, In Praise of, 333.
Judge's Limit, 78.
Lady Chancellor, 443.
Last Drink, 299.
Law Reform from Another Side, 196.
Lawyer's Wedding, 299.
Lemon, A, 113.
Lie Indirect, 77.
Light Sentences, 371.
Localisms in Court, 214.
Medical Uncertainty, 234.
Millions in the Scales, 97.
Mirror, The Useless, 387.
Moots for France, 135.
Night and Day, 401.
No Surprise, 281.
Oaths from the Orient, 429.
Paint, Like, 429.
Parliament, The Wisdom of, 333.
Pleadings by Counsel, 45.
Poison, In Search of, 196.
Poisoned Chocolate, 157.
Politics and the Law, 234.
Proctor, The King's, 175.
Question of Discretion, 63.
Rank, A Matter of, 248.
Relief, 318.
Sailor's Way, 371.
Silk, A Solitary, 214.
Sovereign Litigant, 135.
Summary Jurisdiction, 175.
Writing Test, 9.

SOCIETIES.

Auctioneers' and Estate Agents' Institute, 143, 254, 323, 374.
B.Sc. (Estate Management) Club, 407.
Bar Council, 31, 66, 143, 220, 324, 344.
Barristers' Benevolent Association, 303, 342.
Berks, Bucks and Oxfordshire Incorporated Law Society, 119.
Birmingham Law Society, 161.
Blackburn Law Students' Debating Society, 50.
Central Criminal Court Bar Mess, 14.
City of London Solicitors' Company, 160, 374.
Gray's Inn, 67, 323, 455.
Gray's Inn Debating Society, 288, 342, 358, 375, 406, 424.
Hardwicke Society, 50, 67, 87, 103, 121, 142, 162, 183, 203, 218, 239, 254, 271, 323, 340, 358, 375, 391, 455.
Howard League for Penal Reform, 239, 271.
Incorporated Accountants Society of Liverpool, 31.
Inner Temple, 67, 358, 455.
Inns of Court—Calls to the Bar, 86, 343.
Institute for Scientific Treatment of Delinquency, 103, 143, 182.
Institute of Medical Psychology, 201.
Jewish Adult Education, Council for, 358.
Johnson Club, 253.
Johnson Society of London, 202.
Law Association, 103, 202, 287, 343, 358, 406.
Law Clerks' Debating Society, 103, 142, 162, 218.
Law Society, 31, 84, 104, 200, 238, 375.
Law Society—Annual General Meeting, 452.
Law Society—Annual Report, 452.
Law Society—Final Examination, 287.
Law Society—Honours Examination, 302.
Law Society—Intermediate Examination, 269.
Law Society—Preliminary Examination, 183.
Law Society's School of Law, 272.
Law Students' Debating Society, 31, 51, 66, 87, 121, 142, 183, 218, 254, 287, 303, 343, 358.
Lincoln's Inn, 359.
London School of Economics, 67, 102, 120, 141, 163, 181, 239, 254.
Medico-Legal Society, 51, 182, 203, 287, 322, 359, 390, 423.
Middle Temple, 86, 359.
Selden Society, 253.
Social and Political Education League, 217.
Solicitors' Benevolent Association, 50, 121, 203, 356, 358, 455.
Solicitors' Clerks' Pension Fund, 91, 162.
Solicitors' Law Stationery Society, Ltd.—Annual Report, 254.
Solicitors' Managing Clerks' Association, 86, 120, 143, 183, 203, 238, 320.
Town Planning Institute, 140, 217.
Union Society of London, 31, 51, 67, 86, 103, 143, 218, 254.
United Law Clerks' Society, 270.
United Law Society, 15, 31, 51, 66, 87, 143, 217, 287.
University of London, 87, 343.
University of London Law Society, 51, 86, 103, 121, 142, 183, 202.
University of London: University College, 66, 142, 343, 406.

RULES AND ORDERS.

Adoption of Children (County Court) Rules, 1933, 303.
Bankruptcy Amendment (No. 1) Rules, 1933, 237.
Companies (Winding Up) Amendment Rules, 1933, 237.
County Court Districts (Miscellaneous No. 1) Order, 1933, 407.
County Court (No. 1) Rules, 1933, 218.
County Court (No. 2) Rules, 1933, 422.
District Registry, Writ for Issue from, 122.

Juvenile Courts (Constitution) Draft Rules, 1933, 303.
Law of Property (Restrictive Covenants Discharge and Modification) Fees Rules, 1933, 181.
Law of Property (Restrictive Covenants Discharge and Modification) Rules, 1933, 179.
Local Government (Adjustment of Gains and Losses in County Districts) (Second Fixed Grant Period) Regulations, 1933, 219.
Ministry of Health (Rate of Interest) Amendment Order, 1933, 359.
Rating and Valuation Act (Product of Rates and Precepts) Amendment Rules, 1933, 255.
Rules of the Supreme Court (No. 1), 1933, 450.
Supreme Court Funds Rules, 1933, 163.
Tithe Rent-charge Recovery Rules, 1933, 203.
Workmen's Compensation Rules (No. 1), 1933, 203.

HONOURS AND APPOINTMENTS.

Abrahams, Mr. S. S., 143.
Agarwala, Mr. C. M., 391.
Ahmad, Mr. I., 288.
Aklesaria, Mr. N. N., 408.
Atkinson, Mr. A., 51.
Atkinson, Mr. C., K.C., 359, 375.
Bajpai, Rai B. P. S. P., 15.
Banks, Mr. E. P., 288.
Bardwell, Mr. H. R., 143.
Bavin, The Hon. T. R., K.C., 408.
Bent, Mr. T. H., 68.
Betts, Mr. R., 239.
Beyfus, Mr. G. H., 143.
Blair, Sir J. W., 408.
Boult, Mr. A. R., 204.
Bowker, Mr., 184.
Boyle, Mr. J., 220.
Brennan, Mr. T., 184.
Brookes, Mr. W. S., 359.
Brown, Mr. C. G., 343.
Brown, Mr. G., 219.
Brown-Hume, Mr. J. E., 124.
Buckley, Mr. C., 359.
Buckmaster, Rt. Hon. S. O. Baron, 163.
Busby, Mr. F. H., 359.
Buxton, Mr. F. H. W., 391.
Byers, Mr. E. Q., 408.
Cartwright, Mr. C. C., 408.
Chitty, Mr. J. H. P., 408.
Clothier, Mr. W., 143.
Comyns, Mr. H. J., 408.
Cope, Sir William, 143.
Criswell, Mr. W. T., 143.
Crompton, Mr. J. A., 375.
Crosbie, Mr. J. C., 304.
Darby, Mr. L. F. C., 31.
Davies, Mr. J. B., K.C., 424.
Davis, Mr. G. H., 31.
Davis, Mr. H. H., K.C., 31.
Dean, Mr. A. D., 304.
de Montmorency, Mr. H. A., 255.
Derbyshire, Mr. H., K.C., 51.
de Villiers, Sir Jean E. R., 15.
Dickson, Mr. J. R., K.C., 163.
Dickson, Mr. W. E., 87.
Dowson, Mr. O. F., 15.
Duff, Mr. Justice L. P., 219.
Dummett, Mr., 68.
Edge, Mr. W. L., 359.
Evershed, Mr. F. R., 143.
Frear, Mr. F. G., 68.
Freeman, Sir P. H., 31.
Gennings, Mr. J. F., 408.
Giles, Sir C. T., K.C., 343.
Gillett, Mr. N. C., 51.
Gillies, Mr. A. H. D., 31, 219.
Gover, Mr. E. M., 163.
Graham-Campbell, Mr. R. F., 51, 87, 163.
Granville-Smith, Mr. S. H., 220.
Gray, Mr. A., K.C., 15.
Gregory, Mr. H., K.C., 143.

- Harvey, Mr. J. M., 408.
Hawkins, Mr. W. F. S., 31.
Heckels, Mr. G. T., 220.
Herbert, Sir D. H., 408.
Hill, Mr. R. W. J., 359.
Hirst, Mr. F. W., 408.
Holland, Sir Robert, 343.
Huggard, Mr. W. C., K.C., 343, 408.
Hughes, Mr. F. J., K.C., 220.
Hume-Williams, Sir W. E., 455.
Husain, Khan B. H. H., 15.
Jackson, Mr. E. St. J., K.C., 15.
Jaques, Mr. J. L., 15.
Jenkins, Mr. D., 15.
Jessop, Mr. F. H., 343.
Jones, Mr. D. J., 408.
Jones, Mr. T. T., 220.
Kania, Mr. Justice H. L. J., 304.
Kennedy, His Hon. Judge, K.C., 375.
Kenyon, Mr. W. W., 424.
King, Mr. E. C., 391.
Lane-Fox, Right Hon. G. R., 407.
Langmaid, Mr. F. H., 220.
Laski, Mr. N. J., K.C., 68.
Leach, Mr. A. H. L., 103.
Lloyd, Mr. G. P., 124.
Lynn, Mr. S. A., 15.
Lyons, Mr. A. M., 143.
Macpherson, Mr. Justice T. S., 15.
Macpherson, Rt. Hon. J. I., K.C., 15.
McClure, Mr. G. B., 424.
McGrath, Mr. J. C., 408.
McIntosh, Mr. M., 220.
Mann, Mr. F. W., 408.
Marks, Mr. G. W., 68.
Marshall, Mr. C. W., 455.
Martineau, Mr. P. H., 15.
Masood, Syed R., 408.
Metcalf, Mr. H., 143.
Mills, Mr. J. V. G., 87.
Mitchell, Mr. R. MacGregor, K.C., 87.
Molony, Sir Thomas, 87.
Morley, Mr. A., 143.
Mudie, Mr. N. D., 87.
Nichols, Mr. E. B., 239.
Noad, Mr. L., 143.
Noon, Malik Firoz Khan, 15.
Norledge, Mr. F. W., 15.
O'Connor, Mr. J. K., K.C., 124.
Oliver, Mr. A. M., 343, 455.
Orr, Mr. W. E., 104.
Padley, Mr. A. T., 391.
Parker, Mr. H. S. W., 143.
Parr, Mr. E. C., 103.
Patterson, Mr. W. M., 184.
Pearson, Sir H. G., 343.
Phillips, Mr. G. G., 272.
Pitman, Mr. C. M., K.C., 304.
Porter, Mr. H. de B., 408.
Prasad, Rai B. D., 408.
Preston, Mr. R., 51.
Pyke, Mr. C. J., 220.
Rae, Mr. A., 239.
Rae, Mr. J. S., 15.
Rainey, Mr. W. S., 375.
Rees, Mr. D. K., 272.
Richards, Mr. C. D., 408.
Robyns-Owen, Mr. E. E. R., 408.
Roffey, Mr. E. S., 15.
Roxburgh, Mr. R. F., 143.
Russell, Mr. A. F., 15.
Samuel, Mr. H. W., K.C., 324.
Samuels, Mr. H. D., 143.
Sanderson, Rt. Hon. Sir Lancelot, K.C., 204.
Scott, Mr. C. P., K.C., 163, 204.
Seaman, Sir Owen, 15.
Seely, Maj.-Gen. The Right Hon. J. E. B., 408.
Smith, Mr. A. M., 424.
Smith, Mr. E. S., 304.
Somerset, Mr. R. H. E. H., 103.
Stewart, Mr. W., 204.
Storm, Mr. G. S., 204.
Stranger, Mr. I. H., 143.
Tilley, Mr. W. N., K.C., 455.
Tucker, Mr. F. J., 143.
Tuffee, Mr. H., 220.
Turner, Mr. C. W., 51.
Twinn, Mr. J., 184.
Tyrer, Mr. W. H., 51.
Underwood, Mr. H. L., 51.
Urwin, Mr. T. J., 163.
Walker, Mr. W. J., 15.
Wark, Mr. J. L., K.C., 87, 124.
Watson, Mr. D., 124.
Webber, Mr. A. F. C., 163.
Wells, Mr. F. C., 288.
Wheldon, Mr. W. P., 220.
Willes, Mr. R. A., 304.
Wingate-Saul, Mr. E. W., K.C., 408.
Yusuf, Nawab Muhammad, 15.

POINTS IN PRACTICE.

- Accident to Carpenter Motor-cyclist, 10.
Affidavit of Documents by Manager, 249.
Agricultural Credits Act, 1928, 48.
Agricultural Holding: Alternative Notice to Quit, 403.
Agricultural Holding: Expiration of Tenancy: Grants of Extended Periods: Application of Agricultural Holdings Act, 1923, s. 23 (3), 27.
American Debts in British Liquidation, 284.
Assent: Protection of Purchaser: A.E.A., 1925, s. 36 (7), 317.
Assignment for Benefit of Creditors avoided by Bankruptcy: Right to Costs, 249.
Bankruptcy: Petitioning Creditor's Debts Paid, 335.
Bankruptcy Notice: Order of Quarter Sessions: Execution, 354.
Bookmaker's Liability for Winnings, 419.
British Nationality, Re-admission to, 47.
Burial Ground: Disused: Nonconformist Chapel: Re-arrangement of Gravestones: Trustees' Powers, 137.
Charge of Annuity by Will: Settlement: General Position, 387.
Charity Lands: Power to Mortgage, 195.
Child Trespasser, Liability for Injury to, 47.
Commercial Traveller, Notice to, 10.
Compensation for Goodwill of Statutory Tenant, 10.
Compensation for Old Injury, 195.
Controlled House, Actual Possession of, 173.
Conversion, Five per cent. War Stock: Commission Payable to Broker, Banker or Solicitor, 115.
Conveyance: Alteration made long after Execution with a view to effecting Assurance to a Third Party: Rectification of the Error: Procedure, 335.
Copyhold for Years not Perpetually Renewable: Extinguishment of Manorial Incidents, 154.
Copyright in Pamphlet, 445.
Costs ordered by Quarter Sessions: Enforcing payment against Surety, 213.
Costumier's Liability for Infectious Dress, 419.
Covenant for Payment of Money Six Months after Demand, 114.
Damages from Motorist, Recovery of, 195.
Dangerous Door of Ashpit, Liability for, 301.
Death of Administratrix (with Will) absolutely entitled as in Intestacy without Self-assent: Title: Legal Estate, 195.
Debtor appointed Executor: Release: Revocation of Will: Effect, 80.
Declaration of Trust of a Property subject to a Charge in Favour of the Donor: Stamp, 284.
Decontrol on Enlargement of Tenancy, 249.
Defendant, Adult Son as, 403.
Disclaimer by Life-Tenant: Effect: Death Duties, 317.
Disinfectant, Sale of, in Mineral Water Bottles, 445.
Distraint, Minor as Claimant after, 336.
Ecclesiastical Land: Lease for Building: Powers of Ecclesiastical Commissioners, 446.
Endowment Policy, Validity of, 284.
Executory Gift Over: Ascertainment of Class, 114.
Extinguishment of Manorial Incidents: Arrears of Fees: L.P.A., 1922, s. 130 (5), 317.
Farm: Yearly Letting of: Parol Variation of Rent, 154.
Fatal Accidents Act, Claim under, 47.
Freehold Ground Rent: Tenant by the Courtesy Title, 138.
Gift (in Trust) of Cheque on own Bankers: Position of Parties on Death of Donor without Presentation of Cheque, 80.
Goods on Pavement: Obstruction: Grating as Part of Pavement, 27.
Ground Game, Ownership of, on Railway Track, 213.
Hire Purchase of Piano, 63.
Holding, Divided, Recovery of, 62.
Horse Straying on Highway: Liability of Owner, 11.
Housing Act, 1930: Clearance Order pending: Position of Mortgagees, 173.
Husband and Wife: Divorce: Decree *Nisi*: Whether Justices can Make Maintenance Order for Child, 300.
Husband and Wife: Maintenance Order: Arrears: Property of Husband: No Remedy but Distress or Committal, 300.
Husband and Wife: Persistent Cruelty: Complaint Out of Time, 335.
Husband and Wife: Persistent Cruelty: Time Limit: Corroboration, 403.
Incidence of Legacy Duty on Residue, 137.
Income Tax, Carmelite Monastery and, 250.
Income Tax of Bankrupt's Wife, 114.
Income Tax, Professional Man's: Deduction in respect of Residence, 283.
Infant, Guardian of: Whether Corporation can act as, 445.
Injury to Farm Labourer, 173.
Injury to Tenant's Child, Liability for, 336.
Instrument: Construction: Trust for Sale by Implication, 386.
Insurability of Articled Clerk, 284.
Intestacy: Partition by Way of Appropriation: Stamp, 300.
Intestate's Estate: Nomination of Friendly Society: Widow's Rights, 335.
L.P.A., 1925, s. 84 (1): Whether Order Owing Compensation Must be Acted on or Not, 154.
Land Tax: When Deductible by Tenant, 446.
Landlord and Tenant: Lease for Five Years: Covenant to Repair and Paint once in every Seven Years, 62.
Landlord and Tenant: Option to Purchase: Claim for Compensation or Lease, 386.
Lease: Covenant to Register Deeds Assigning and Probates and Letters of Administration: Assent by Administrator to Himself, 115.
Lease: Covenant to Register with Ground Landlord on "an Assignment, Transfer, Underlease or Devolution of the said Property or any Part thereof": Mortgage by Demise: Whether Applicable to Vacating Receipt, 317.

- Legal Estate *in futuro*: Impossibility of Creation, 81.
Lessor and Lessee: Recovery of Costs from Lessee, 301.
Life Owner becoming entitled to Share in Remainder: Realisation, 250.
Life Tenant and Sole Trustee Distrusted by Beneficiaries in Reversion: Practical Steps to Safeguard the Funds, 10.
Local Authority, Liability of, for Damage caused by Roots of Tree, 300.
Lottery Advertisement in Newspaper: Liability of Promoters and Publishers, 283.
Minister's House: Charitable Trusts: Sale: Form of Conveyance, 80.
Mortgage: No Attornment Clause: Mortgagor in Possession: Sale: Obtaining Possession, 213.
Mortgage Attornment Clause Demise to Mortgagor, 337.
Mortgage Rights against Person Let into Possession under Purchase Contract with Mortgagor, 137.
Mortgagee Taking Possession without Action, 249.
Motor Car, Backing from Garage, Liability for, 419.
Nuisance Affecting Division Wall, 28.
Ownership of Lorry, 418.
Partnership: Death of Partner: Dissolution: Winding Up, 403.
Party Wall: Building Erected Against, 154.
Pension, Old Age, Qualification for, 114.
Personal Representative: Power to Postpone Conversion of Unauthorised Investments being Pure Personality, 232.
Power of one of two Executors to give receipt for Debt, 301.
Private Street Works Act, 1892, 249.
Rating of Sporting Rights, 285.
Recovery of Furniture Storer's Charges, 233.
Registration Lease for More than Twenty-one Years where Title to Freehold Subsequently Registered, 336.
Rent, Notice of Increase of, 47.
Rent: Where Payable, 63, 386.
Rent Acts: Intestacy, 354.
Rent after Demolition Date, 283.
Rent Restriction Acts: Executrix of Deceased Tenant taking over Beerhouse Licence, 233.
Rent Restrictions Act: Death of Statutory Tenant, 354.
Rent Restrictions Act: Sub-tenant Holding Rent Free, 386.
Rent Restrictions Acts: Notice to Quit, 137.
Restrictive Covenant of Chartered Accountant, 336.
Restrictive Covenant of Knitting Machinists, 419.
Restrictive Covenant Qualified as to Liability of Covenantors, 27.
Road Charges: Appointment, 62.
Sale: Vendor (being Layman) acting for Himself: Obligation to Employ a Solicitor, 81.
Sale by Mortgagee: Auctioneer Creditor or Mortgagor Instructed: Auctioneer's Lien on any Surplus for his Debt, 232.
Sale by Personal Representatives after Preliminary Free Occupation of Property under Terms of their Testator's Will: Validity, 81.
Sale by Personal Representatives of Property Settled by Will of Testator dying in 1924: Implied pre-1926 Assent: Title, 445.
Sale of Land: Memorandum in Writing, 62.
Searches to be made by Mortgagee on Payment Off, 196.
S.L.A., 1925, s. 30 (3): Position of Non-Proving Executor, 386.
S.L.A., 1925, Sched. II, para. 3 (1): Meaning of "Trustees (if any) of the Settlement," 196.
Settled Land sold by Tenants for Life and Remainderman before 1926: Purchase of other Land, 138.
Settlement, Trader's: Both Spouses of Advanced Age and no Issue: Breaking same: Procedure, 283.
Sewage Scheme for Rural District: Special Expenses, 155.
Sewers: Where Right to drain into those on adjoining Estate, 28.
Shares, Gift of, subject to Reservation of Life Interest for Donor and after Death for his Widow: Estate Duty: Parties accountable and incidence of on Death of Donor, 155.
Shop Assistant's Criminal Liability, 233.
"Snowball" Scheme, Validity of, 213.
Solicitor Receiving Commission, 27.
Sub-Lease: Covenant to Pay Part of Income Tax on Whole Property, 300.
Subscription, Tennis, Non-payment of, 418.
Third Party Procedure, 173.
Trust Property, Purchase of, by Wife of a Trustee: Validity, 232.
Trustees for Sale: Reservation of Ground Rent, 81.
Underground Cellar under Pavement: Liability to Repair, 335.
Undivided Shares: Same Person having One Moiety Absolutely and Life Interest in Other: Transitional Provisions of L.P.A., 1925, 80.
Validity of Bill of Sale, 81.
Vergor: Claim to Compensation, 446.
Vote on Borough Council, Right of Gas Company Director to, 418.
Water Service: "Reasonable Supply": Meaning, 11.
Will: Construction: Income Applicable for Maintenance: Destination of Surplus Income, 155.
Will: Construction: Wills Act, 1837: Charity, 418.
Will: Construction: Words Importing Futurity: Testator's Gift to Children of Child who "shall Die": Children of Child Dead at date of Will, 81.
Will: Gift of Real and Personal Estate to Widow of Testator "as long as she remained single absolutely" without a Gift over: Construction, 232.
Will: Provision for Married Daughter to avoid Influence of Husband, 195.
Will: Settlement: Cesser of Settlement on Death of Life Tenant: Will of Testator not Proved until after Death of Life Tenant: Sale, 354.
Wooden Buildings: Charge on, 154.
Workmen's Compensation, Charwoman and, 336.
Workmen's Compensation Act, Contracting Out of, 387.

NAMES OF REPORTED CASES.

- Airedale Co-operative Worsted Manufacturing Society, Ltd., *In re* [C.D.], 267.
Allan, *In re*: Roberts v. Robinson and Others [Ch. Lancashire], 448.
Angell v. Burn and Others [K.B.D.], 337.
Arcos, Ltd. v. E. A. Ronsaasen & Son [H.L.], 99.
Aslan v. Imperial Airways, Ltd. [K.B.D.], 337.
Balden v. Shorter [C.D.], 138.
Barras v. Aberdeen Steam Trawling & Fishing Co., Ltd. [H.L.], 215.
Borwick's Settlement, *In re*: Borwick v. Borwick [C.D.], 197.
Broad Street Press, Ltd., *In re* [C.D.], 448.
Broken Hill Proprietary Company, Ltd. v. Latham and Others [C.A.], 29.
Bryce v. Bryce [P.D.A.], 49.
Bonar Law Memorial Trust v. Commissioners of Inland Revenue [K.B.D.], 101.
Burnett Steamship Co., Ltd. v. Joint Danube and Black Sea Shipping Agencies [K.B.D.], 100.
Burnham-on-Sea Urban District Council v. Channing and Osmond [C.D.], 177.
Burr and Others v. Anglo-French Banking Corporation, Limited [K.B.D.], 448.
Bush v. London County Council [K.B.D.], 388.
Cadbury Brothers, Ltd. v. Sinclair (Inspector of Taxes) [K.B.D.], 138.
Clark v. Mead [K.B.D.], 404.
Colclough v. Colclough and Fisher [P.D.A.], 338.
Cowburn (W. H.) and Cowpar, Ltd., *In re* Appeals of; *In re* Alfred Bailey and William Henry Bailey [K.B.D.], 64.
Crosse, *In re*: Crosse v. Crosse [C.D.], 116.
Cullen v. Cullen and Methuen [C.A.], 447.
Cuthbertson v. Parishioners of Little Gaddesden [Ct. of Arches], 268.
Dawson v. Winter [K.B.D.], 29.
De Borbon v. Westminster Bank, Limited; Banco de Vizcaya Claimants [C.A.], 285.
Dodds (Alfred E.), *In re* the Appeal of; *In re* McManus [K.B.D.], 49.
Donovan and Another v. Union Cartage Company, Ltd. [K.B.D.], 30.
Epstein v. Lloyd [Ch. Lancashire], 319.
Gateshead (Barn Close) Clearance Order, 1931, *In re* County Borough of [K.B.D.], 12.
Gillott's Settlement, *In re*: Chattock v. Reid [C.D.], 447.
Glanely (Lord) v. Wightman (Inspector of Taxes) [H.L.], 215.
Gooding v. Benfield Urban District Council [K.B.D.], 177.
Grundy v. Hewson [K.B.D.], 216.
Henry (Inspector of Taxes) v. Galloway [K.B.D.], 64.
Horniman v. Horniman [P.D.A.], 158.
Hvalfangerselskabet Polaris Akieselskap v. Unilever, Ltd.; Hvalfangerselskabet Globus Akieselskap v. Unilever, Ltd. [H.L.], 388.
Hyde v. White; White v. Hyde [P.D.A.], 251.
Intract v. Intract, otherwise Jacobs [P.D.A.], 404.
Jay's, Ltd. v. Jacobi [C.D.], 176.
Keane and Others v. Mount Vernon Colliery Company [H.L.], 157.
Kleinwort, Sons & Co. v. Associated Automatic Machine Corporation, Ltd. [K.B.D.], 12.
Knott v. London County Council [K.B.D.], 318.
Lakeman v. Corporation of Chester [K.B.D.], 198.
London and North Eastern Railway Company v. Brentnall [H.L.], 116.
Mason v. Mason and Cottrill (Trist intervening) [P.D.A.], 405.
Matthew Ellis, Ltd., *In re* [C.A.], 82.
Medlicott v. Emery [K.B.D.], 389.
Miller v. Pill [K.B.D.], 372.
Milner v. Allen [K.B.D.], 83.
Modern Light Cars, Ltd. v. Seals (a Firm) [K.B.D.], 420.
Morris v. Baines & Co., Ltd. [K.B.D.], 84.
Mould v. Mould [P.D.A.], 117.
Nathan v. Gulkoff & Levy, Ltd. [C.D.], 355.
Newte v. Newte and Keen [P.D.A.], 235.

Ogden, *In re*: Brydon v. Samuel [C.D.], 216.
 Owners of s.s. "Anastasia" v. Ugleexport
 Charkow [K.B.D.], 12.
 Owners of s.s. "Liesbosch" v. Owners of
 s.s. "Edison" [H.L.], 176.
 Oxley, *In re* [C.D.], 11.
 Partridge Jones and John Paton, Ltd. v. James
 [H.L.], 100.
 Patrick and Lyon, Ltd., *In re* [C.D.], 250.
 Pearl Assurance Co., Ltd. v. Bromley [K.B.D.],
 404.
 Performing Right Society, Ltd. v. Hammond's
 Bradford Brewery Co., Ltd. [C.D.], 286.
 Pounder v. London County Council [K.B.D.],
 268.
 Prudential Assurance Co. v. Adelaide Electric
 Supply Co. [C.D.], 100.
 Quinlan v. Avis [K.B.D.], 355.
 Reidy and Others v. Walker and Others
 [K.B.D.], 267.
 Rex v. Beadell [C.C.A.], 158.
 Rex v. Disney [C.C.A.], 178.
 Rex v. Evan Jones [C.C.A.], 236.
 Rex v. Manley [C.C.A.], 65.
 Rex v. Minister of Transport: *Ex parte* Grey
 Coaches, Ltd. [K.B.D.], 301.
 Rex v. Percy (Frederick): Rex v. Jane Percy;
 Rex v. Sarah Percy [C.C.A.], 421.

Rex v. Stringer [C.C.A.], 65.
 Rex v. William Bolkis [C.C.A.], 13.
 Rex v. Wilmot [C.C.A.], 372.
 Rhodesia Railways, Ltd. v. Collector of Income
 Tax of Bechuanaland Protectorate [P.C.],
 234.
 Russ and Brown's Contract, *In re* [C.D.], 371.
 Russian Bank for Foreign Trade, *In re* [C.D.],
 197.
 Seaton v. Slama [C.D.], 11.
 Shingler (Inspector of Taxes) v. P. Williams and
 Sons [K.B.D.], 139.
 Shuttleworth v. Leeds Greyhound Association,
 Ltd., and Others [K.B.D.], 48.
 Simpson v. Charrington & Co., Ltd. [K.B.D.],
 251.
 Southern (S.) (Inspector of Taxes) v. A.B.;
 Same v. A.B., Limited [K.B.D.], 139.
 Stead Hazel and Co. v. Cooper [K.B.D.], 117.
 Stevens & Sons v. Timber and General Mutual
 Accident Insurance Association, Ltd. [C.A.],
 116.
 Stubbs v. Imperial and Queen Laundries, Ltd.
 [K.B.D.], 421.
 Talbot, *In re*: Jubbs v. Sheard [C.D.], 388.
 Taylor v. Taylor and Barclays Bank, Limited
 [K.B.D.], 319.

Tea Trading Co. K. & C. Popoff Brothers, *In re*
 [C.D.], 215.
 Trenchard (H.), as Liquidator of the National
 United Laundries (Greater London), Ltd. v.
 H. P. Bennet (H.M. Inspector of Taxes)
 [K.B.D.], 83.
 Union of Benefices of Bolton-le-Moors, St. Paul,
 Bolton-le-Moors, Christ Church, Bolton-le-
 Moors, Emmanuel, Lancashire, *In re* [P.C.],
 446.
 Walley v. United Dairies (Wholesale), Ltd.
 [K.B.D.], 251.
 Walters' Deed of Guarantee, *In re*: Walters'
 "Palm" Toffee, Ltd. v. Walters [C.D.], 83.
 Wesleyan and General Assurance Society v.
 Attorney-General [C.D.], 48.
 White Sea Timber Trust, Ltd. v. W. W. North,
 Ltd. [K.B.D.], 30.
 Wiggins (Inspector of Taxes) v. Watson's
 Trustees [H.L.], 157.
 Williams v. Russell [K.B.D.], 198.
 Williams v. Watkins [K.B.D.], 198.
 Woodfield Steam Shipping Co., Ltd. v. Bunge,
 etc., Industrial of Buenos Ayres [K.B.D.],
 64.
 Worthington, *In re*: Nichols v. Hart [C.A.],
 371.

ANALYTICAL INDEX OF REPORTED CASES.

APPLICATION FOR RETURN OF DEPOSITED SECURITIES—

Death of Applicant—Summons by Executors.
[In re Broad Street Press, Ltd.], 448.

BENEFICES—

Union—Demolition Scheme—View of
 Inquiry—Commissioners—Scheme
 Sanctioned. *[In re* Union of Benefices of
 Bolton-le-Moors, St. Paul, Bolton-le-Moors,
 Christ Church, Bolton-le-Moors, Emmanuel,
 Lancashire], 446.

CHILD—

Injured—Playing in Street—Climb on
 Stationary Van—Unhorsed and Unattended
 —Fall and Injuries—Van Owner not liable
 in Damages—Van not inherently dangerous.
*[Donovan and Another v. Union Cartage
 Company, Ltd.]*, 30.

COMPANY—

Debentures—Insolvent—Issued to Director
 —Business carried on—Meaning of Fraudu-
 lent—Companies Act, 1929 (19 & 20 Geo.
 5, c. 23), ss. 265, 266, 275. *[In re* Patrick
 and Lyon Limited], 250.

Debentures—Issue in Australia by Australian
 Company—Holder's Option to be Repaid
 in Australia or in London—Depreciation of
 Australian Currency—No Right to be
 Repaid in English Currency. *[Broken Hill
 Proprietary Company, Limited, v. Latham
 and Others]*, 29.

Dividend—Deed of Guarantee—Guarantor's
 Rights against Company—Subrogation.
[In re Walters' Deed of Guarantee; Walters'
 "Palm" Toffee Limited v. Walters], 83.

In Liquidation—Contract—No Disclaimer by
 Liquidator of pre-existing Contract—Contract
 Goods not accepted—Liquidator not
 personally liable—Companies Act, 1929,
 s. 267. *[Stead Hazel & Co. v. Cooper]*,
 117.

Winding Up—Co-operative Society—Loan
 from Another Society—*Ultra Vires*—Pro-
 ceeds of Loan Applied in Payment of
 Trading Debts—Lenders Ranking as
 Creditors—Subrogation—Industrial and
 Provident Societies Act, 1893, s. 58. *[In*

re Airedale Co-operative Worsted Manu-
 facturing Society Limited], 267.

Winding Up—Deficiency of Assets—
 Debenture issued within Six Months of
 Winding Up—Validity—Meaning of "Cash
 paid to the Company"—Companies Act,
 1929 (19 & 20 Geo. 5, c. 23), s. 266. *[In re*
 Matthew Ellis Limited], 82.

Winding Up—Jurisdiction—Russian Com-
 pany—Soviet Decrees Affecting its Exist-
 ence—Branches Abroad—Companies Act,
 1929 (19 & 20 Geo. 5, c. 23), s. 338. *[In re*
 Russian Bank for Foreign Trade], 197.

Winding Up—Service of Petition—Company
 Ceased to Exist—Person Authorised to
 Accept Service Dead—Companies Act,
 1929 (19 & 20 Geo. 5, c. 23), s. 338—R.S.C.
 Ord. lxvii, r. 6—Companies (Winding Up)
 Rules, 1929, r. 28. *[In re* Tea Trading Co.
 K. & C. Popoff, Brothers], 215.

CONTRACT—

Carriage of Goods by Air—Bullion—Lost in
 Transit—Not Common Carriers—Implied
 Warranty—Carriers protected by Excep-
 tions clause. *[Aslan v. Imperial Airways,
 Limited]*, 337.

Company in Liquidation—No Disclaimer by
 Liquidator of pre-existing Contract—Con-
 tract Goods not accepted—Liquidator not
 personally liable—Companies Act, 1929
 (19 & 20 Geo. 5, c. 23), s. 267. *[Stead
 Hazel and Co. v. Cooper]*, 117.

Insurance—Disclaimer of Liability under
 Policy—Action by Assured—Application
 to stay pending Arbitration under Arbitra-
 tion Clause—Disclaimer of Liability not
 necessarily Repudiation of entire Policy.
*[Stevens & Sons v. Timber and General
 Mutual Accident Insurance Association,
 Limited]*, 116.

Sale of Goods—Whale Oil—Factory Ships—
 Oil Tankers—Breach of Contract—
 Damages. *[Hvalfangerselskabet Polaris
 Akieselskap v. Unilever Ltd. Hvalfangerselskabet
 Globus Akieselskap v. Unilever
 Ltd.]*, 388.

Sale of Milk—Deduction of Railway Carriage
 from Price Payable—Railway Rebate
 Allowed to Purchaser for Conveyance of

Large Quantities—Seller Entitled to Benefit
 of Rebate. *[Walley v. United Dairies
 (Wholesale) Limited]*, 251.

Sale of Motor Car—Agreement for Payment
 by Instalments—Promissory Note Covering
 Instalments—Collateral Security Only—
 A Hire-purchase Agreement. *[Modern
 Light Cars Ltd. v. Seals (a Firm)]*, 420.

COPYRIGHT—

Musical Works—Broadcasting—Sounds Made
 Audible—Entertainment of General Public
 —Performance—Infringement. *[Per-
 forming Right Society Ltd. v. Hammond's
 Bradford Brewery Co. Ltd.]*, 286.

CRIMINAL LAW—

Charge of being an Habitual Criminal—
 Statutory Notice—Inclusion of Alleged
 Crime not proved or admitted—Prevention
 of Crime Act, 1908 (8 Edw. 7, c. 59), s. 10,
 sub-s. (4). *[Rex v. Beadell]*, 158.

Conviction on Indictment alleging three
 Offences in the alternative—Bad for
 Duplicity—Conviction quashed—Road
 Traffic Act, 1930 (20 & 21 Geo. 5, c. 43),
 s. 11. *[Rex v. Wilmot]*, 372.

Coroner—Conviction of Obstructing in
 Execution of Duty—Baby's Death—Due
 to Natural Causes—No Duty to hold
 Inquest. *[Rex v. Frederick Percy. Rex
 v. Jane Percy. Rex v. Sarah Percy]*, 421.

Count Alleging Offences in the Alternative—
 Bad for Duplicity—Conviction Quashed—
 Night Poaching Act, 1828 (9 Geo. 4, c. 69),
 s. 1. *[Rex v. Disney]*, 178.

Imaginary Crime—False Statements to Police
 —Public Mischief—Misdemeanour—Pre-
 judice to the Community. *[Rex v. Manley]*,
 65.

Incest—Admission by Father the only
 Evidence of Relationship. *[Rex v. Evan
 Jones]*, 236.

DEFAMATION—

Defendants' Servant—Whether Plaintiff
 employed by Defendants—Careless
 Mistake—No Malice—No "Indirect or
 Dishonest Motive." *[Balden v. Shorter]*,
 138.

DIVORCE—

Answer to Petition for Permanent Maintenance—Wife's "Conduct"—Husband's Allegations (including Adultery) not made in Main Suit—Registrar's Order to Strike Out Set Aside—Scope of Enquiry on Maintenance Petition—Estoppel—Matrimonial Causes Rules, 1924, r. 69—Judicature (Consolidation) Act, 1925 (15 & 16 Geo. 5, c. 49), s. 190, sub-s. (1). [Mould v. Mould], 117.

Costs—Cross-Petitions—Order for Wife's Costs—Order for Intervener's Costs against Wife—Assignment by Intervener of Her Costs to Husband—Husband's Set-off against Wife of Assigned Costs—Court's Discretion as to Set-off—Wife's Order for Security—Solicitor's Lien—Garnishee Proceedings—Wife's Solicitors not Creditors for Purposes of R.S.C. Ord. XLV, r. 1. [Mason v. Mason and Cottrill (Trust intervening)], 405.

Permanent Maintenance—Basis of Assessment—"One-third Rule" Inapplicable—Discretion as Opposed to Arithmetical Calculation—Judicature (Consolidation) Act, 1925 (15 & 16 Geo. 5, c. 49), s. 190. [Horniman v. Horniman], 158.

Practice—Petitioner's Admission of his own Misconduct—Disclosure to Court—Order that Confession be lodged in Court in Sealed Envelope—Discretion. [Cullen v. Cullen and Methuen], 447.

Variation of Settlements—Alteration of Order—Extinction of Petitioner's Interest in Respondent's Fund—Usual Application Omitted through Inadvertence—Limited Power in Court to Review Order—Supreme Court of Judicature (Consolidation) Act, 1925 (15 & 16 Geo. 5, c. 48), s. 192. [Newte v. Newte and Keen], 235.

Variation of Settlement—Safeguarding Interests of Child of the Marriage—Power of Appointment in Favour of After-taken Spouse and Children of Subsequent Marriage—Restriction on Power of Guilty Wife—Supreme Court of Judicature (Consolidation) Act, 1925 (15 & 16 Geo. 5, c. 49), s. 192. [Colclough v. Colclough and Fisher], 338.

Dog—

Fellow Servant of Dog's Owner Bitten—Scienter—Common Employment—Employer a Corporate Body—Not Liable. [Knott v. London County Council], 318.

ECCLESIASTICAL LAW—

Faculty for Erection of Monument over Grave—Objection on Ground of Material—White Marble. [Cuthbertson v. Parishioners of Little Gaddesden], 268.

ELECTRICITY—

Conversion from Direct to Alternating Current—Consumer and Compensation. [Lakeman v. Corporation of Chester], 198.

ENGLISH COMPANY IN AUSTRALIA—

Dividends in England in Sterling. [Prudential Assurance Co. v. Adelaide Electric Supply Co.], 100.

EVIDENCE—

Divorce—Domicil—Trial of Issue—Husband's Declarations of Intention—Admissibility—Exception to Common Law Rule—"Lowest Species of Evidence." [Bryce v. Bryce], 49.

GAMING—

Greyhound Racecourse Totalisator—Illegal—Betting Act, 1853, s. 1. [Shuttleworth v. Leeds Greyhound Association Ltd. and Others], 48.

INCOME TAX—

Railway Company—Repairs to Track—Expense Deductible for Income Tax Purposes. [Rhodesia Railways Ltd. v. Collector of Income Tax of Bechuanaland Protectorate], 235.

Settlement—Covenant to Pay Annuity Settled on Trust for Infant—Power of Revocation—Whether Infant's Income—Finance Act, 1922, s. 20 (1). [Wiggins (Inspector of Taxes) v. Watson's Trustees], 157.

Stud Farm—Stallion Fees—Trade distinct from Occupation of Land—Income Tax Act, 1918, Sched. B, r. 1 (b); Sched. D, r. 1 (a). [Glancely (Lord) v. Wightman (Inspector of Taxes)], 215.

INDUSTRIAL ASSURANCE—

Policy on Life of Grandfather for Funeral Expenses—Step-Grandfather not a Grandparent—Policy Void—Innocent Misrepresentation—Premiums Not Recoverable—Industrial Assurance Act, 1923 (13 & 14 Geo. 5, c. 8), ss. 3, 5 (1). [Pearl Assurance Co. Ltd. v. Bromley], 404.

Profits—Distribution—Policy Holders and Shareholders—Assurance Companies Act, 1909 (9 Edw. 7, c. 49), s. 3; Industrial Assurance Act, 1923 (13 & 14 Geo. 5, c. 8), ss. 2, 12 and 14. [Wesleyan and General Assurance Society v. Attorney-General], 48.

JUDGMENT—

Action to declare Null and Void—Defendant Non-existent—Action Maintainable. [Burr and Others v. Anglo-French Banking Corporation, Limited], 448.

LANDLORD AND TENANT—

Agricultural Holding—Tenant's request for Arbitration regarding Rent—Reduced Rent awarded—Award binding on the Parties—Agricultural Holdings Act, 1923 (13 & 14 Geo. 5, c. 9), s. 12 (3). [Grundy v. Hewson], 216.

Leasehold Premises—Covenant for Use as Dwelling-house only—Breach—Used for Solicitor's Office—Condition of Relief from Forfeiture—Law of Property Act, 1925 (15 Geo. 5, c. 20), s. 84. [Angell v. Burn and Others], 337.

Off-Licence Premises—Claim to new Lease—Compensation—Landlord and Tenant Act, 1927 (17 & 18 Geo. 5, c. 36), s. 4, cl. (c), s. 5. [Simpson v. Charrington & Co. Limited], 251.

Rent Restriction—Claim to Possession—Limited Company not Entitled to Protection of the Acts. [Reidy and Others v. Walker and Others], 267.

Rent Restriction—Crown Property—Subsequently Sold to Private Owner—Rent Increased—Date of Fixing Standard Rent—Crown-owned Premises Not Affected by Rent Acts. [Clark v. Mead], 404.

Rent Restriction—Lease at Rent in Excess of Limitation in Acts—A Valid Lease—Rent and Mortgage Interest Restrictions Act, 1923 (13 & 14 Geo. 5, c. 32), s. 2 (2). [Quinlan v. Avis], 355.

LOCAL AUTHORITY—

Building—Subsidy—Condition—Maximum Price—Contract by Corporation—Housing, &c., Act, 1923 (13 & 14 Geo. 5, c. 24), s. 2 (4)—Housing (Financial Powers) Act, 1924 (14 & 15 Geo. 5, c. 35). [Burnham-on-Sea Urban District Council v. Channing and Osmond], 177.

LOCAL GOVERNMENT—

Clearance Area and Order—Application by Person aggrieved—Duty of Local Authority—Provision of displaced Business Accommodation not necessary—Residential Accommodation only—Housing Act, 1930 (20 & 21 Geo. 5, c. 29), ss. 1, 9, 25, 26, 27 and 41. [In re County Borough of Gateshead (Barn Close) Clearance Order, 1931], 12.

Superannuation—Poor Law Officer—Resignation—Employment in Asylum—More Advantageous Superannuation Scheme—Officer's Statutory Compulsion to remain under Former Scheme. [Pounder v. London County Council], 268.

MASTER AND SERVANT—

Piecework—Minimum Wage fixed—Insufficient Work—Trade Boards Act, 1909 (9 Edw. 7, c. 22)—Trade Boards Act, 1918 (8 & 9 Geo. 5, c. 32)—Statutory Orders. [Nathan v. Gulkoff & Levy, Ltd.], 355.

MORTGAGES TO AN INFANT—

Law of Property Act, 1925, s. 19 (6)—Trustee Act, 1925, ss. 44, 46, 51 and 53. [Epstein v. Lloyd], 319.

MOTOR CAR—

Accident—Animal Injured—Refusal of Driver to Give Name and Address—Report to Police—Prosecution—Road Traffic Act, 1930, s. 22 (1). [Dawson v. Winter], 29.

Conviction for Dangerous Driving—Acquittal on Manslaughter Charge—Same Facts—Each Count a Separate Indictment—Road Traffic Act, 1930 (20 & 21 Geo. 5, c. 43), s. 11. [Rex v. Stringer], 65.

Conviction of Driving without Due Care and Attention—Terms of Notice served on the Driver—Compliance with s. 21 of the Road Traffic Act, 1930—Conviction of Lesser Offence—Road Traffic Act, 1930 (20 & 21 Geo. 5, c. 43), ss. 12, 21. [Milner v. Allen], 83.

Dangerous Driving—No Notice of Offence served on Registered Owner—Section 21 of the Road Traffic Act, 1930, not Complied With—Conviction Quashed. [Rex v. William Bolkis], 13.

Insurance—Third Party Policy—Certificate of Insurance Produced—Proof of Policy—Admission of Secondary Evidence. [Williams v. Watkins; Williams v. Russell], 198.

MOTOR-COACH—

Public Services—Picking-up Points—Metropolitan Traffic Commissioner's Decision—Appeal—Exercise of Discretion by Minister of Transport. [Rex v. Minister of Transport; Ex parte Grey Coaches, Ltd.], 301.

MOTOR OMNIBUS—

Licensed as Stage Carriage—Within Borough Limits—Sunday Journey Outside Limits Arranged—Passengers all Picked Up at Same Point—Fare Paid Separately by each Passenger—Not a "Special Occasion"—Unlawful Use as "Express Carriage"—Road Traffic Act, 1930 (20 & 21 Geo. 5, c. 43), s. 61 (2). [Miller v. Pill], 372.

NATIONAL HEALTH INSURANCE—

Acrobat Artist—Not Employed by Way of Manual Labour—Not an Insured Person—National Health Insurance Act, 1924 (14 & 15 Geo. 5, c. 38). [In re the Appeal of Alfred E. Dodds; In re McManus], 49.

NULLITY—

Incapacity—Practice as to Ordering Inspection of the Person—Objection on Behalf of Female Respondent of Unsound Mind—Medical Evidence Available *Aliunde*—Proposed Examination stated to be Injurious to Health—Power to Dispense with Usual Order. [Intract v. Intract, otherwise Jacobs], 404.

PRACTICE—

Contract—Bailment—Securities deposited by Owner to Order of B—Action for Possession by Owner—Claim by B on behalf of Claimants not Parties to the Action—Limitation of Issues to Parties before the Court. [De Borbon v. Westminster Bank, Ltd.; Banco de Vizcaya Claimants], 285.

PRACTICE AND PROCEDURE—

Libel Action—Admission of Liability—Payment into Court—Money Taken Out by Plaintiff Before Action—Farthing Damages Awarded—Refusal to Return Money Paid in—No Power in Court to Order Repayment. [Morris v. Baines & Co., Ltd.], 84.

PRINCIPAL AND AGENT—

Loan on Security of Shares—Fraudulent Certifications on Transfers—Worthless Shares—Certifications placed on Transfers by Company's Agent—Liability of Company. [*Kleinwort, Sons & Co. v. Associated Automatic Machine Corporation, Ltd.*], 12.

PROBATE—

Costs—Charging Order in Favour of Solicitors—Instrumentality in Recovering or Preserving Property—Wills set up in the Alternative—Finding of Intestacy—Client entitled to Share as Next-of-Kin—Change and Discharge before Trial of Solicitors—Solicitors Act, 1932 (22 & 23 Geo. 5, c. 37), s. 69. [*Hyde v. White; White v. Hyde*], 251.

PROCEDURE—

Action Brought in County Court—For Damages for Injury to Plaintiff's Property—Death of Plaintiff before Hearing—When Action Maintainable by Executor—Administration of Estates Act, 1925 (15 Geo. 5, c. 23), s. 26 (2). [*Bush v. London County Council*], 388.

PUBLIC RIGHT OF WAY—

Obstruction—Attorney-General—Track sometimes Covered by Sea—Suffering Special Injury. [*Seaton v. Slama*], 11.

RATING—

Houseboat—Moored to River Bank—Exclusive Occupation of Moorings and Gangway—Rateable Hereditament. [*Gooding v. Bentleat Urban District Council*], 177.

REGISTRATION OF BUSINESS NAMES—

Omission to Register—Relief from Disabilities—Advertisement—Registration of Business Names Act, 1916, ss. 5, 6, 8. [*In re Oxley*], 11.

REVENUE—

Income Tax—Company Guarantees Preference Share Dividend of Second Company—Consideration—Allotment of Deferred Shares of Second Company—Receipt in the Nature of a Capital Asset—Income Tax Act, 1918 (8 & 9 Geo. 5, c. 40), Case VI, Sched. D. [*H. Trenchard, as Liquidator of The National United Laundries (Greater London), Ltd. v. H. P. Bennet (H.M. Inspector of Taxes)*], 83.

Income Tax—Company Director and Chairman—Salary Refused while Debenture Interest Unearned—Still an "Office of Profit"—Income Tax Act, 1918 (8 & 9 Geo. 5, c. 40), Sched. E. [*Henry (Inspector of Taxes) v. Galloway*], 64.

Income Tax—Illegal Betting Business—Profits Assessable as Profits of a Trade—Income Tax Act, 1918 (8 & 9 Geo. 5, c. 40), Sched. D. [*S. Southern (Inspector of Taxes) v. A.B.; Same v. A.B., Ltd.*], 139.

Income Tax—Previously Worthless Slag Heap—Agreement for Sale—Payments on Royalty Basis—Payments not Assessable to Income Tax—Income Tax Act, 1918 (8 & 9 Geo. 5, c. 40), Case I, Sched. D; Cases III and VI; Sched. A, r. 7 of No. II. [*Shingler (Inspector of Taxes) v. P. Williams and Sons*], 139.

Income Tax—Trust for Education in Political Matters—Governed by, and conducted in the interests of, one Political Party only—

Not a Charitable Trust—Income Tax Act, 1918 (8 & 9 Geo. 5, c. 40), s. 37. [*Bonar Law Memorial Trust v. Commissioners of Inland Revenue*], 101.

Sched. D Assessment—Factory and attached Dining Block—Dining Block—Mill or Factory—Dining Block included in Assessable Unit as Mill or Factory—Income Tax Act, 1918 (8 & 9 Geo. 5, c. 40), Sched. D, r. 5 (2), Cases I and II. [*Cadbury Brothers, Ltd. v. Sinclair (Inspector of Taxes)*], 138.

SALE OF GOODS—

Timber—Right of Rejection—Goods not within Specification—Arbitration Clause. [*Arcos, Ltd. v. E. A. Ronsaasen & Son*], 99.

SETTLEMENT—

Condition—Cutting Down Infant's Interest—Religious Instruction—Duty of Parent—Mercenary Considerations—Condition Bad—Void for Uncertainty. [*In re Borwick's Settlement; Borwick v. Borwick*], 197.

Power of Appointment—Protected Life Interest—Loans—Covenant by Appointee to Pay Income to Third Party within Three Days of Receipt—Forfeiture. [*In re Gillott's Settlement; Chattock v. Reid*], 447.

SHIPPING—

Charter-party—Ice Clause—Delay due to Ice—Assistance to be obtained by Charterers—Lack of Assistance Unexplained—Onus on Charterers. [*Owners of s.s. "Anastasia" v. Ugleexport Charkow*], 12.

Charter-party—Loading—Time Lost through Rain to be added to Loading Time—Rain, but no Cargo available for Loading—Time Lost not added. [*Burnett Steamship Co., Ltd. v. Joint Danube and Black Sea Shipping Agencies*], 100.

Charter-party—Optional Cargo carried—Extra Cost of Discharge above Stipulated Cargo at Charterers' Expense—Method of ascertaining extra Cost. [*Woodfield Steam Shipping Co., Ltd. v. Bunge, etc., Industrial of Buenos Ayres*], 64.

Collision—Total Loss—Assessment of Damage—Principles Applicable. [*Owners of s.s. "Liesbosch" v. Owners of s.s. "Edison"*], 176.

Contract for Sale of Timber—To be carried "Under Deck"—Breach of Condition—Portion Carried "On Deck"—Buyers' Right to Reject the Whole. [*White Sea Timber Trust, Ltd. v. W. W. North, Ltd.*], 30.

Wages—"Wreck"—Merchant Shipping (International Labour Conventions) Act, 1925, s. 1. [*Barras v. Aberdeen Steam Trawling & Fishing Co., Ltd.*], 215.

SOLICITOR—

Litigation—Counsel's Fee—Not Paid by Lay Client—Paid by Solicitor—Action to Recover from Lay Client. [*Medlicott v. Emery*], 389.

TITLE DEEDS—

Leasehold Property—Purported Assignment by Beneficiary to Executor—Alleged Consideration—No intention to Assign—Plea of *non est factum*—Deeds lodged with Bank by Executor as Security for Loan—Order for Delivery up of Deeds to Beneficiary. [*Taylor v. Taylor and Barclays Bank, Ltd.*], 319.

TRADE NAME—

Passing Off—Costumier's Business—Similar Name Adopted by Defendant While Employed by Another Firm—Risk of Confusion—Distinction from Word "Limited"—No Fraud or Confusion. [*Jay's, Ltd. v. Jacobi*], 176.

UNEMPLOYMENT INSURANCE—

Master and Mate of Barge—Father and Son—Liability for Insurance—Master under Contract of Service with Barge-owners—Mate employed by the Master—Unemployment Insurance Acts, 1920-1932. [*In re Appeals of W. H. Cowburn and Cowpar, Ltd.; In re Alfred Bailey and William Henry Bailey*], 64.

VENDOR AND PURCHASER—

Particulars of Contract—Misleading Description—"Underlease"—Leasehold—Sublease. [*In re Russ and Brown's Contract*], 371.

WILL—

Charitable Gift—Ministers of Chapel—Augmentation of Salaries—United Methodists—Fusion of Methodist Churches—Methodist Church Union Act, 1929 (19 & 20 Geo. 5, c. 59), s. 18. [*In re Talbot; Jubbs v. Sheard*], 388.

Construction—Gift of "all Money belonging to me"—Absence of Context—What Assets Included. [*In re Allan; Roberts v. Robinson and Others*], 448.

Construction—Trust in Favour of Testator's Daughters and their Children—Gift over on Death Without Issue—"Others and Other" of his Children—Child or Children other than Child on Whose Death Gift over Took Effect. [*In re Crosse; Crosse v. Crosse*], 116.

Gift—Discretion to Select—"Political Federations, Associations or Bodies . . . having as their Objects the Promotion of Liberal Principles"—No Uncertainty—Bodies Ascertainable—Valid Gift—No Trust. [*In re Ogden; Brydon v. Samuel*], 216.

Gift of Residue in Moieties—Lapse of Moiety by Death of Legatee before Testatrix—Pecuniary Legacies, as well as Debts and Expenses, payable out of Lapsed Moiety—Administration of Estates Act, 1925 (15 Geo. 5, c. 23), ss. 33, 34. [*In re Worthington; Nichols v. Hart*], 371.

WORKMEN'S COMPENSATION—

Disease or Accident—Diseased Arteries—Death from Ordinary Exertion. [*Partridge Jones and John Paton, Ltd. v. James*], 100.

Injury—Agreement—Recorded in County Court—Alleged Breach by Employer—Claim by Employee—Leave to Sign Judgment refused—Action at Common Law—Workmen's Compensation Act, 1925 (15 & 16 Geo. 5, c. 84), s. 23. [*Stubbs v. Imperial and Queen Laundries, Ltd.*], 421.

Injury while off Duty—Hostel provided by Employers. [*London and North Eastern Railway Company v. Brentnall*], 116.

Partial Dependents—Members of Family Living Together—Standard of Family Life—Impoverishment of Family. [*Keane and Others v. Mount Vernon Colliery Company*], 157.

FEB

L. 17

Saw

FEB 11 1933
LIBRARY
Supplement to "THE SOLICITORS' JOURNAL," 4th February, 1933.

PRICE ONE SHILLING.

THE SOLICITORS' JOURNAL.

Statutes

ENACTED IN THE SESSION OF PARLIAMENT, 1932.

22 & 23 GEO. 5.

LONDON :
PUBLISHED AT THE OFFICES OF "THE SOLICITORS' JOURNAL,"
29-31, BREAMS BUILDINGS, E.C.4.
1933.

An A
cu
du
ma
of
Un
in p
wit

An A
of I
hun
Lin
hun
Ship
savi
and

An Ac
His
Gov
and

NO

An Ac
Nort

Be it
1. A
forty-se
to as "
of Nort
of Nort
law the
Parliam
the Hig

(2) If
section
relates
by con
conferre
such co
Appeal
an appe
nounced

2. A
grants.
granted
Court in
Letters
any ena
of admin

3. P
tion of a
is within
Parliam
six of th
Parliam
the statu

Statutes

ENACTED IN THE SESSION OF PARLIAMENT, 1932.

22 & 23 Geo. 5.

CHAPTER 8.

IMPORT DUTIES ACT, 1932.

An Act to provide for the imposition of a general *ad valorem* duty of customs and of additional duties on any goods chargeable with the duty aforesaid, for the imposition of duties on goods produced or manufactured in a foreign country which discriminates in the matter of importation as against goods produced or manufactured in the United Kingdom, in certain other parts of His Majesty's dominions, in protectorates or in mandated territories, and for purposes connected with the matters aforesaid. [29th February, 1932.]

CHAPTER 9.

MERCHANT SHIPPING (SAFETY AND LOAD LINE CONVENTIONS) ACT, 1932.

An Act to give effect to an International Convention for the Safety of Life at Sea, signed in London on the thirty-first day of May, nineteen hundred and twenty-nine, to give effect to an International Load Line Convention signed in London on the fifth day of July nineteen hundred and thirty, and to amend the provisions of the Merchant Shipping Acts, 1894 to 1928, relating to passenger steamers, life-saving appliances, wireless telegraphy, load lines, timber cargoes, and other matters affected by the said Conventions. [17th March, 1932.]

CHAPTER 10.

VETERINARY SURGEONS (IRISH FREE STATE AGREEMENT) ACT, 1932.

An Act to confirm and give effect to a certain agreement made between His Majesty's Government in the United Kingdom and His Majesty's Government in the Irish Free State with respect to the registration and control of veterinary surgeons. [17th March, 1932.]

CHAPTER 11.

NORTHERN IRELAND (MISCELLANEOUS PROVISIONS) ACT, 1932.

An Act to make miscellaneous amendments in the law applicable to Northern Ireland. [17th March, 1932.]

Be it enacted, etc. :—

1. *Provisions as to the Supreme Court.*—(1) The reservation in section forty-seven of the Government of Ireland Act, 1920 (in this Act referred to as "the principal Act"), of matters relating to the Supreme Court of Northern Ireland shall not be construed as precluding the Parliament of Northern Ireland from enacting, for the purposes of a branch of the law the general subject matter of which is within the powers of that Parliament, provisions conferring jurisdiction on the Supreme Court, the High Court or a court of assize.

(2) If the Parliament of Northern Ireland make provision for amending section ten of the Criminal Justice Administration Act, 1914 (which relates to the sending of youthful delinquents to Borstal institutions), by conferring the like jurisdiction on courts of assize as is thereby conferred on Courts of Quarter Sessions, that Parliament may make such consequential amendments in section nineteen of the Criminal Appeal (Northern Ireland) Act, 1930, as may be necessary to provide an appeal from a sentence of detention in a Borstal institution pronounced by a court of assize by virtue of the said amendment.

2. *Amendment as to resealing in Northern Ireland of English probate grants.* 20 & 21 Vict. c. 79.—Probate and letters of administration granted by the High Court in England shall not be resealed in the High Court in Northern Ireland under section ninety-four of the Probates and Letters of Administration Act (Ireland), 1857, as amended by or under any enactment, unless the person to whose estate the probate or letters of administration relate died domiciled in England.

3. *Provisions as to consolidation.*—For the purpose of the consolidation of a branch of the statute law the general subject matter of which is within the powers of the Parliament of Northern Ireland, that Parliament may, notwithstanding anything in subsection (1) of section six of the principal Act, repeal and re-enact any enactments of the Parliament of the United Kingdom which form a part of that branch of the statute law and which have been passed after the appointed day.

4. *Reciprocal pension arrangements between Northern Ireland and other parts of His Majesty's Dominions.*—If reciprocal arrangements are in force between Great Britain and Northern Ireland under and for the purposes of the Widows', Orphans' and Old Age Contributory Pensions Acts, 1925 to 1931, and the corresponding enactments of the Parliament of Northern Ireland, the National Health Insurance Joint Committee constituted under section eighty-eight of the National Health Insurance Act, 1924, on application being made by the Government of Northern Ireland, and with the approval of the Secretary of State, may make reciprocal arrangements to take effect between the Northern Ireland authority administering the said corresponding enactments and the authority administering a similar pensions' scheme in another country, whereby—

(a) periods of insurance, contributions paid, and residence, in one country shall, for the purpose of qualification for pensions in the other country, be treated as if they had been periods of insurance, contributions paid, and residence, in that other country ;

(b) pensions payable by one country shall be payable to persons whilst resident in the other country ; and

(c) financial adjustments may be made between one country and the other country.

(2) For the purposes of this section, the expression "country" means, on the one hand, Northern Ireland, and on the other hand, any country other than Northern Ireland, with which reciprocal arrangements made under section thirty-three of the Widows', Orphans' and Old Age Contributory Pensions Act, 1925, are in force, and the expression "similar pensions' scheme" means a scheme established in any such country other than Northern Ireland, and being the subject of the last-mentioned reciprocal arrangements.

5. *Provision as to office of Land Purchase Commissioner.*—It shall be lawful for a judge of the Supreme Court of Judicature of Northern Ireland to hold the office of Land Purchase Commissioner for Northern Ireland, but he shall not receive any remuneration in respect of that office.

6. *Provisions as to priority in bankruptcy, &c., of Crown debts and certain debts due to Trustee Savings Banks.*—(1) Notwithstanding any restrictions imposed by the principal Act on the power of the Parliament of Northern Ireland to make laws, that Parliament may, with the consent of the Treasury,—

(a) regulate and restrict the priority which is to be given to Crown debts in the distribution of the property of a bankrupt, arranging debtor or person dying insolvent ; and

(b) determine the priority, if any, to be given in the distribution of such property as aforesaid to the debts mentioned in section fourteen of the Trustee Savings Banks Act, 1863.

(2) For the purposes of this section, the recital in an Act passed by the Parliament of Northern Ireland that the consent of the Treasury has been obtained shall be conclusive evidence of the fact recited.

7. *Repeal of s. 7 of 54 & 55 Vict. c. 66 and of para. (8) of s. 44 of 7 & 8 Geo. 5. c. 64.*—Section seven of the Local Registration of Title (Ireland) Act, 1891, and paragraph (8) of section forty-four of the Representation of the People Act, 1918 (which provide for certain increases of salary to Clerks of the Crown and Peace), are hereby repealed :

Provided that this repeal shall not affect any Clerk of the Crown and Peace who is an existing officer within the meaning of section fifty-eight of the principal Act.

8. *Application of c. 9 of 3 & 4 Geo. 5 to Northern Ireland.*—The Herring Fishery (Branding) Act, 1913, shall apply to Northern Ireland, subject to the following modifications :—

(a) for references to the Ministry of Agriculture and Fisheries there shall be substituted references to the Ministry of Commerce for Northern Ireland :

(b) for the reference in subsection (2) of section one to any place in England or Wales there shall be substituted a reference to any place in Northern Ireland :

(c) for the reference to the Treasury in subsection (1) of section five there shall be substituted a reference to the Ministry of Finance for Northern Ireland :

(d) for the references to summary conviction there shall be substituted references to conviction under the Acts relating to summary jurisdiction in Northern Ireland :

(e) the following shall be substituted for subsection (3) of section six :—

"(3) Any person who feels himself aggrieved by a conviction or order of a court of summary jurisdiction under this Act may appeal under the Acts relating to summary jurisdiction in Northern Ireland against the conviction or order, and the provisions of those Acts in connection with appeals shall apply accordingly."

9. *Provisions as to sea and tidal waters, the seashore, &c.*—(1) The restrictions contained in section four of the principal Act shall not extend so as to prevent the Parliament of Northern Ireland making laws with respect to—

(a) the construction, carrying out or alteration of any works on or under or over any part of the shore or bed of the sea whether or not vested in the Crown; or

(b) the carrying out of dredging operations in the sea; or

(c) the deposit or removal of materials on or from the shore or bed of the sea whether or not vested in the Crown; or

(d) ferries across tidal waters in Northern Ireland,

if the consent of the Board of Trade and, in a case where any foreshore the management whereof is vested in the Commissioners of Crown Lands is affected, also the consent of those Commissioners, has been obtained.

(2) The exercise of administrative powers by the Government of Northern Ireland in connection with any such matters as are mentioned in the last preceding subsection and in relation to byelaws affecting the shore or bed of the sea shall be subject to the like consents as are specified in that subsection.

(3) Where under the Landed Estates Court (Ireland) Act, 1858, or any Act amending that Act or under the Land Purchase Acts, an application is made for the sale or conveyance of, or for a declaration of title as to, any land in Northern Ireland and the land includes any part of the shore or bed of the sea or any land immediately abutting thereon, or where an application is made to any department of the Government of Northern Ireland for any consent, approval, order, licence, loan or other matter which may, or for any purpose which may, affect the shore or bed of the sea or land immediately abutting thereon, notice of the application shall be given by the court or the department concerned to the Board of Trade and the Commissioners of Crown Lands.

(4) For the purposes of this section—

(a) the expression "shore" means the land below the high-water mark of ordinary spring tides, and the expression "sea" includes every arm of the sea and every navigable river up to the point at which it ceases to be tidal; and

(b) the recital in an Act passed by the Parliament of Northern Ireland that the consent of the Board of Trade or of the Commissioners of Crown Lands has been obtained, shall be conclusive evidence of the fact recited.

(5) Subsection (2) of section two of the Northern Ireland (Miscellaneous Provisions) Act, 1928, is hereby repealed except with respect to Acts passed or things done before the commencement of this Act.

10. *Short title.*—This Act may be cited as the Northern Ireland (Miscellaneous Provisions) Act, 1932.

CHAPTER 12.

DESTRUCTIVE IMPORTED ANIMALS ACT, 1932.

An Act to make provision for prohibiting or controlling the importation into and the keeping within Great Britain of destructive non-indigenous animals, for exterminating any such animals which may be at large and for purposes connected with the matters aforesaid.

[17th March 1932.]

CHAPTER 13.

FINANCIAL EMERGENCY ENACTMENTS (CONTINUANCE) ACT, 1932.

An Act to continue in force certain enactments passed in connection with the financial emergency which arose in the year nineteen hundred and thirty-one.

[17th March 1932.]

CHAPTER 14.

CONSOLIDATED FUND (NO. 1) ACT, 1932.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March, one thousand nine hundred and thirty-one, one thousand nine hundred and thirty-two and one thousand nine hundred and thirty-three.

[24th March 1932.]

CHAPTER 15.

DANGEROUS DRUGS ACT, 1932.

An Act to amend the Dangerous Drugs Acts, 1920 to 1925, so far as is necessary to enable effect to be given to a Convention signed at Geneva on behalf of His Majesty on the thirteenth day of July, nineteen hundred and thirty-one, and to make provision for the extension of those Acts to drugs capable of being converted into dangerous drugs.

[24th March, 1932.]

CHAPTER 16.

ISLE OF MAN (CUSTOMS) ACT, 1932.

An Act to amend the Law with respect to Customs in the Isle of Man.

[24th March, 1932.]

CHAPTER 17.

TANGANYIKA AND BRITISH HONDURAS LOANS ACT, 1932.

An Act to authorise the Treasury to guarantee a loan to be raised by the Government of Tanganyika, to authorise a loan to the Government of British Honduras, and to authorise the making of advances out of moneys provided by Parliament for the payment of the annual or half-yearly charges in respect of the said loans for a limited period.

[24th March, 1932.]

CHAPTER 18.

RATING AND VALUATION ACT, 1932.

An Act to extend the duration of certain temporary provisions contained in the Rating and Valuation Act, 1928.

[24th March, 1932.]

Be it enacted, etc.:—

1. *Extension of certain provisions of 18 & 19 Geo. 5. c. 8.*—(1) Notwithstanding anything in subsection (1) or subsection (3) of section two of the Rating and Valuation Act, 1928, the amendments made by those subsections with respect to the Third Schedule to the Valuation (Metropolis) Act, 1869, and the Second Schedule to the Rating and Valuation Act, 1925, respectively (being amendments relating to the ascertainment of the rateable value of certain hereditaments) shall continue to have effect in relation to the next valuation lists made under the two last-mentioned Acts after the commencement of this Act; and accordingly—

(a) the said subsection (1) shall be amended by inserting the words "and on the sixth day of April, nineteen hundred and thirty-six" after the words "sixth day of April, nineteen hundred and thirty-one"; and

(b) the said subsection (3) shall be amended by inserting the words "and second" after the word "first."

(2) The amendment made by subsection (1) of section three of the Rating and Valuation Act, 1928, with respect to section eleven of the Rating and Valuation Act, 1925 (being an amendment relating to the allowance to be made to owners when rated instead of occupiers), shall continue to have effect for the purposes of any rate made for a rating area in respect of a period during which the second new valuation list made under the last-mentioned Act for that area is in force; and accordingly the said subsection shall be amended by inserting the words "or second" after the word "first."

2. *Short title and citation.*—This Act may be cited as the Rating and Valuation Act, 1932, and the Rating and Valuation Acts, 1925 to 1930, and this Act may be cited together as the Rating and Valuation Acts, 1925 to 1932.

CHAPTER 19.

TRANSITIONAL PAYMENTS PROLONGATION (UNEMPLOYED PERSONS) ACT, 1932.

An Act to extend until the expiration of the Unemployment Insurance Act, 1930, the period in respect of which transitional payments may be made in certain cases under the Unemployment Insurance (National Economy) (No. 2) Order, 1931.

[14th April, 1932.]

CHAPTER 20.

CHANCEL REPAIRS ACT, 1932.

An Act to abolish proceedings in ecclesiastical courts for enforcing liability to repair certain chancels and to substitute other proceedings in lieu thereof, and otherwise to amend the law relating to such liability.

[25th April, 1932.]

Be it enacted, etc.:—

1. *Abolition of jurisdiction of ecclesiastical courts to enforce repair of chancels.*—After the commencement of this Act no proceedings to enforce liability to repair a chancel shall be brought in any ecclesiastical court, and any such proceedings as aforesaid which, but for the provisions of this Act, could only have been brought in an ecclesiastical court, shall be brought under and in accordance with the provisions of this Act.

2. *Future proceedings to enforce liability to repair chancels.*—(1) Where a chancel is in need of repair, the responsible authority may serve upon any person, who appears to them to be liable to repair the chancel, a notice in the prescribed form (hereafter in this Act referred to as a "notice to repair") stating in general terms the grounds on which that person is alleged to be liable as aforesaid, and the extent of the disrepair, and calling on him to put the chancel in proper repair.

(2) At any time after the expiration of a period of one month from the date when the notice to repair was served, the responsible authority may, if the chancel has not been put in proper repair, bring proceedings against the person on whom the notice was served to recover the sum required to put the chancel in proper repair:

Provided that, on the application of the responsible authority made at any time after the service of the notice to repair, the court may, if satisfied that the chancel is in urgent need of repair and that no sufficient measures are being taken to put it in proper repair, give the responsible authority leave to bring such proceedings as aforesaid before the expiration of the said period and also leave to repair the chancel without prejudicing their claim in those proceedings.

(3) In any proceedings brought as aforesaid, the court, if it finds that the defendant would, but for the provisions of this Act, have been liable to be admonished to repair the chancel by the appropriate ecclesiastical court in a cause of office promoted against him in that court on the date when the notice to repair was served, shall give judgment for the responsible authority for such sum as appears to the court to represent the cost of putting the chancel in proper repair:

Provided that, if (in a case where such leave as aforesaid has not been given) it appears to the court that the defendant is and always has been ready and willing to put the chancel in proper repair but had not sufficient time to do so before the commencement of the proceedings, the court may adjourn the proceedings for such time as appears to the court to be sufficient to enable the defendant to put the chancel in proper repair, and if the chancel is put in proper repair within that time or such longer time as the court may allow, the court shall give judgment for the defendant.

3. *General provisions as to proceedings under Act.*—(1) All proceedings brought under this Act with respect to liability to repair a chancel shall be brought in the county court for the district in which the chancel is situate, and notwithstanding anything in the County Courts Acts, 1888 to 1924, a county court shall have jurisdiction to determine any such proceedings whatsoever.

(2) The provisions of section one hundred and twenty-six of the County Courts Act, 1888 (which provides for the removal of matters from the county court to the High Court), shall apply to any such proceedings as if the proceedings were a matter commenced in the county court under that Act.

(3) No appeal shall lie under section one hundred and twenty of the County Courts Act, 1888, from any determination or direction of a judge of county courts in any such proceedings without the leave of the judge, unless the claim in the proceedings is a claim for a sum exceeding twenty pounds.

(4) Without prejudice to the generality of the provisions of section one hundred and sixty-four of the County Courts Act, 1888, provision may be made by rules under that section enabling the court—

(a) to order a responsible authority bringing proceedings under this Act to give security for costs;

(b) in a case where judgment is given for the payment of a sum of money in respect of repairs not yet executed, to direct the money to be paid into court and to give any other directions necessary for the purpose of ensuring that the money is spent in executing the repairs; and rules under that section may prescribe the form of the notice to repair and the manner in which it may be served.

4. *Interpretation.*—(1) In this Act the following expressions have the meanings hereby respectively assigned to them, that is to say:—
“Chancel” means the chancel of any church of or belonging to a benefice;

“Prescribed” means prescribed by county court rules;
“Responsible authority,” in relation to a chancel, means the parochial church council of the parish in which the chancel is situate, or, in a case where there is no such council, the incumbent and churchwardens of that parish.

(2) For the purpose of this section the expressions “benefice,” “church” and “parochial church council” have the meanings respectively assigned to them by the Interpretation Measure, 1925.

5. *Short title, application and commencement.*—(1) This Act may be cited as the Chancel Repairs Act, 1932.

(2) This Act shall apply only to chancels situate in the province of Canterbury (excluding the Channel Islands) and the province of York (excluding the Isle of Man).

(3) This Act shall come into operation on the first day of January, nineteen hundred and thirty-three.

CHAPTER 21.

PRESIDENT OF THE BOARD OF TRADE ACT, 1932.

An Act to remove the incapacity of the President of the Board of Trade for being elected and sitting and voting as a member of the Commons House of Parliament, and to indemnify certain holders of that office from any penal consequence which they may have incurred by sitting or voting as members of the said House at any time while they were not capable of so doing as being holders of that office.
[25th April 1932.]

CHAPTER 22.

ARMY AND AIR FORCE (ANNUAL) ACT, 1932.

An Act to provide, during Twelve Months, or the Discipline and Regulation of the Army and the Air Force.
[28th April 1932.]

CHAPTER 23.

GREY SEALS PROTECTION ACT, 1932.

An Act to make further provision for the protection of the Grey Seal.
[12th May 1932.]

CHAPTER 24.

WHEAT ACT, 1932.

An Act to secure to growers of home-grown millable wheat a standard price and a market therefor; to make provision or imposing on millers and importers of flour obligations to make payments calculated by reference to a quota of such wheat and as to the disposal of the moneys thereby received; to provide for such millers being required to purchase unsold stocks of such wheat; and for purposes connected with the matters aforesaid.
[12th May 1932.]

CHAPTER 25.

FINANCE ACT, 1932.

An Act to grant certain duties of Customs and Inland Revenue (including Excise), to alter other duties, to amend the law relating to the Inland Revenue (including Excise) and the National Debt, to amend the Import Duties Act, 1932, in certain particulars, and also other enactments relating to the Customs, and to make further provision in connection with Finance.
[16th June, 1932.]

CHAPTER 26.

UNIVERSITIES (SCOTLAND) ACT, 1932.

An Act to transfer to the University Courts the right of presentation or appointment to certain chairs or professorships in the faculties of divinity or theology in the universities of Scotland; to remove restrictions as regards appointment to chairs or professorships in the said universities; to extend the powers of the University Courts of the said universities with regard to the making of ordinances, and for purposes connected therewith.
[16th June, 1932.]

CHAPTER 27.

LAW OF PROPERTY (ENTAILED INTERESTS) ACT, 1932.

An Act to prevent the conversion of entailed interests into absolute interests and the destruction of interests expectant thereon by the statutory trusts for sale, and to define the expression “rent charge in possession.”
[16th June, 1932.]

Be it enacted, etc.:—

1. *Saving of beneficial interests.*—(1) At the end of subsection (6) of section thirty-six of the Settled Land Act, 1925, and at the end of section thirty-five of the Law of Property Act, 1925, and before the provision added to that section by the Law of Property (Amendment) Act, 1926, the following words shall, in each case, be inserted, namely:—
“and the right of a person who, if the land had not been made subject to a trust for sale by virtue of this Act, would have been entitled to an entailed interest in an undivided share in the land, shall be deemed to be a right to a corresponding entailed interest in the net proceeds of sale attributable to that share.”

(2) This section shall be deemed to have come into operation on the first day of January, nineteen hundred and twenty-six, but shall have effect without prejudice to any order of the court made before the date of the passing of this Act, or to any title acquired by a purchaser for money or money's worth before that date.

2. *Definition of rent charge.*—For removing doubt it is hereby declared that a rent charge (not being a rent charge limited to take effect in remainder after or expectant on the failure or determination of some other interest) is a rent charge in possession within the meaning of paragraph (b) of subsection (2) of section one of the Law of Property Act, 1925, notwithstanding that the payments in respect thereof are limited to commence or accrue at some time subsequent to its creation.

3. *Short title and construction.*—(1) This Act may be cited as the Law of Property (Entailed Interests) Act, 1932, and so far as it amends any Act shall be construed as one with that Act.

(2) The Law of Property Acts, 1925 to 1929, and this Act, so far as it amends those Acts, may be cited together as the Law of Property Acts, 1925 to 1932.

CHAPTER 28.

PUBLIC HEALTH (CLEANSING OF SHELL-FISH) ACT, 1932

An Act to enable local authorities to provide or contribute towards the provision of means for cleansing shell-fish.
[16th June, 1932.]

CHAPTER 29.

COAL MINES ACT, 1932.

An Act to continue Part I of the Coal Mines Act, 1930, and section one of the Coal Mines Act, 1931.
[16th June, 1932.]

CHAPTER 30.

IRISH FREE STATE (SPECIAL DUTIES) ACT, 1932.

An Act to provide for the imposition of customs duties on goods imported directly or indirectly from the Irish Free State with a view to making good any loss incurred by, or any additional charge imposed on, any public fund of the United Kingdom by reason of any failure of the Government of the Irish Free State to implement their obligations, and for purposes connected with the matters aforesaid. [12th July, 1932.]

CHAPTER 31.

MARRIAGE (NAVAL, MILITARY, AND AIR FORCE CHAPELS) ACT, 1932.

An Act to authorise the publication of banns and the solemnization of marriages in naval, military, and air force chapels. [12th July, 1932.]

CHAPTER 32.

PATENTS AND DESIGNS ACT, 1932.

An Act to amend the Patents and Designs Acts, 1907 to 1928. [12th July, 1932.]

CHAPTER 33.

RATING AND VALUATION (No. 2) ACT, 1932.

An Act to amend section forty of the Rating and Valuation Act, 1925. [12th July, 1932.]

Be it enacted, etc. :—

1. *Amendment of 15 & 16 Geo. 5, c. 90, s. 40.*—Subsection (1) of section forty of the Rating and Valuation Act, 1925 (which provides that, in every case where a new valuation list is to be made for any area, the rating authority shall serve notices on the occupiers, owners or lessees of every hereditament in the area requiring them to make returns), shall have effect as if it authorised rating authorities to serve such notices, instead of requiring them to do so; and accordingly the following amendments shall be made in that subsection, that is to say,—

- (a) the word "may" shall be substituted for the word "shall" where that word first occurs;
- (b) the word "any" shall be substituted for the word "every";
- (c) the words "Any such notice" shall be substituted for the words "The said notices."

2. *Short title and citation.*—This Act may be cited as the Rating and Valuation (No. 2) Act, 1932, and shall be included among the Acts which may be cited together as the Rating and Valuation Acts, 1925 to 1932.

CHAPTER 34.

BRITISH MUSEUM ACT, 1932.

An Act to enable the Trustees of the British Museum to except certain publications from the provisions of subsection (1) of section fifteen of the Copyright Act, 1911. [12th July, 1932.]

CHAPTER 35.

AGRICULTURAL CREDITS ACT, 1932.

An Act to make provision with respect to mortgages for securing loans made by the company formed for the purposes of Part I of the Agricultural Credits Act, 1928. [12th July, 1932.]

Be it enacted, etc. :—

1. *Application of Act.*—The mortgages to which this Act applies are mortgages made, whether before or after the date of the commencement of this Act, for securing loans made on mortgage by the company formed for the purposes of Part I of the Agricultural Credits Act, 1928 (in this Act referred to as "the principal Act"), and the expression "mortgage" in this Act means a mortgage to which this Act applies and the expression "loan" means a loan made as aforesaid:

Provided that nothing in this Act shall operate so as to prejudice any order made by any court before the said date or any title to any property acquired before the said date by any purchaser in good faith for money or money's worth.

2. *Validity of provision in mortgage for repayment of loan by instalments.*—Notwithstanding any rule of equity to the contrary a provision in a mortgage requiring the loan secured thereby to be repaid by such instalments of capital and interest as are specified in paragraph (c) of subsection (3) of section two of the principal Act, shall not be treated as being invalid by reason only that the mortgage is thereby rendered irredeemable for the period during which the instalments are payable.

3. *Provisions as to mortgages where land is held in trust.*—(1) Where in pursuance of the power conferred by section seventy-one of the Settled Land Act, 1925, a mortgage is granted by any person entitled, whether under that Act, or under the Law of Property Act, 1925, or under the Administration of Estates Act, 1925, or otherwise, to exercise that

power there may be inserted therein a provision that the loan thereby secured shall be repayable on any of the terms on which, by virtue of the provisions of paragraph (c) aforesaid, a loan may be made repayable.

(2) Where a mortgage granted as aforesaid provides for the repayment of the loan thereby secured by means of such instalments of principal and interest as are specified by paragraph (c) aforesaid, the instalments shall, as between the persons having limited interests in the mortgaged property and the persons in remainder or reversion, be payable by the person who would be bound to pay the instalments if they were yearly or other periodical payments of a charge on that property made under the Improvement of Land Act, 1864.

(3) Where a loan made for defraying the expenses of an improvement of any kind authorised by part I of the Third Schedule to the Settled Land Act, 1925, is, under the terms of the mortgage securing the loan, repayable by such instalments as aforesaid, the repayment secured by the mortgage shall, for the purposes of paragraph (xiii) of subsection (1) of section seventy-three of the said Act (which relates to the application of capital money in redemption of an improvement rent-charge), and of section eighty-eight of the said Act (which relates to the maintenance of improvements), be deemed to constitute an improvement rent-charge within the meaning of the said Act.

4. *Short title.*—This Act may be cited as the Agricultural Credits Act, 1932, and the principal Act and this Act may be cited together as the Agricultural Credits Acts, 1928 and 1932.

CHAPTER 36.

CARRIAGE BY AIR ACT, 1932.

An Act to give effect to a Convention for the unification of certain rules relating to international carriage by air, to make provision for applying the rules contained in the said Convention, subject to exceptions, adaptations and modifications, to carriage by air which is not international carriage within the meaning of the Convention, and for purposes connected with the purposes aforesaid. [12th July, 1932.]

CHAPTER 37.

SOLICITORS ACT, 1932.

An Act to consolidate the Solicitors Acts, 1839 to 1928, and other enactments relating to solicitors of the Supreme Court. [12th July, 1932.]

Be it enacted, etc. :—

PART I.

THE ROLL OF SOLICITORS.
Custody of the Roll.

1. *The Law Society to act as registrar of solicitors.*—(1) The Law Society shall, subject as hereinafter provided, perform the duties imposed by this Act on the registrar of solicitors:

Provided that the Master of the Rolls, with the concurrence of the Lord Chancellor and the Lord Chief Justice, or (in case of difference) of one of them, may by order under their hands appoint any fit person, and thereafter from time to time appoint another fit person, or re-appoint the Society, to perform the said duties during pleasure.

(2) In this Act the expression "the registrar" means, as the case may be, either the Law Society or the person appointed for the time being to perform the said duties.

2. *The registrar to keep the roll of solicitors.*—(1) The registrar shall keep, in accordance with the provisions of this Act and of any regulations made thereunder, an alphabetical list (in this Act referred to as "the roll") of all solicitors of the Supreme Court (in this Act referred to as "solicitors").

(2) The registrar shall have the custody of the roll and of all documents relating thereto, and shall allow any person to inspect the roll during office hours without payment.

Admission and enrolment.

3. *Admission and enrolment of solicitors.*—(1) Any person who has obtained from the society a certificate of having passed the final examination provided for by this Act may apply to the Master of the Rolls to be admitted as a solicitor; and thereupon the Master of the Rolls, unless cause to the contrary is shown to his satisfaction, shall by writing under his hand and in such manner and form as he may from time to time think fit admit that person to be a solicitor.

(2) The registrar, upon production of an admission signed by the Master of the Rolls, and on payment to the Law Society of a fee not exceeding five pounds, shall enter on the roll the name of the person admitted.

Removal from the Roll and suspension from practice.

4. *Constitution of Disciplinary Committee.*—The Master of the Rolls shall appoint from among members of the Council of the Law Society and such former members of the Council as are practising as solicitors in England a disciplinary committee (in this Part of this Act referred to as "the Committee") consisting of such number of persons, not being less than three nor more than seven, as he may from time to time think fit, and may from time to time remove any member from the Committee and fill any vacancy therein and, subject to such limit as aforesaid, increase the number of the Committee.

5. Powers of Committee.]—(1) Any application—

(a) by a solicitor to procure his name to be removed from the roll;
(b) by another person to strike the name of a solicitor off the roll,
or to require a solicitor to answer allegations contained in an affidavit,
shall be made to and heard by the Committee in accordance with rules
made under the next succeeding section:

Provided that nothing in this section shall affect the jurisdiction
which, apart from the provisions of this section, is exercisable by the
Master of the Rolls or any judge of the High Court over solicitors.

(2) On the hearing of any such application the Committee shall have
power to make any such order as to removing from or striking off the
roll the name of the solicitor to whom the application relates, as to
suspending him from practice, as to the payment by any party of costs,
and otherwise in relation to the case as they may think fit:

Provided that upon proof of the commission of an offence with respect
to which express provision is made by any section of this Act, the
Committee shall, without prejudice to their power of making an order as
to costs, impose the punishment, or one of the punishments, specified in
that section.

6. Procedure of Committee.]—(1) The Committee, with the con-
currence of the Master of the Rolls, may from time to time make rules
for regulating the making, hearing and determining of applications to
the Committee under this Part of this Act:

Provided that no such application shall be heard before less than three
members of the Committee.

(2) For the purposes of any application made to them under this
Part of this Act, the Committee may administer oaths and the applicant
and the solicitor to whom the application relates may sue out writs of
subpoena ad testificandum and duces tecum, but no person shall be
compelled under any such writ to produce any document which he could
not be compelled to produce on the trial of an action.

7. Filing, effect and notice of orders made by the Committee.]—(1)
Every order made by the Committee under this Part of this Act shall
be prefaced by a statement of their findings in relation to the facts of the
case and shall be signed by their Chairman and filed with the registrar,
and as soon as it has been so filed shall be acted upon by the registrar
and be enforceable in the same manner as a judgment or order of the
High Court to the like effect.

(2) Where by any such order as aforesaid the name of any solicitor is
ordered to be removed from, or struck off, the roll, or any solicitor is
suspended from practice, the registrar shall forthwith upon the filing of
the order cause a notice stating the effect of the operative part thereof
to be published in the London Gazette.

(3) The file of orders made by the Committee under this Part of this
Act may be inspected by any person during office hours without payment.

8. Appeal against orders of Committee.]—An appeal against any order
made by the Committee under this Part of this Act shall lie to the High
Court at the instance either of the applicant or of the solicitor to whom
the application relates, and every such appeal shall be made within
such time and in such form and shall be heard in such manner as may be
prescribed by rules made from time to time by the Master of the Rolls
with the concurrence of the Lord Chancellor and the Lord Chief Justice
or (in case of difference) of one of them.

9. Procedure upon applications to the High Court.]—The following
provisions of this section shall have effect in relation to any application
made to the High Court by another person to strike the name of a solicitor
off the roll, or to require a solicitor to answer allegations contained in
an affidavit:—

(i) the applicant shall serve upon the registrar fourteen clear days'
notice of his intention to make the application together with copies
of all affidavits intended to be used in support of the application, and
the Court shall not entertain any such application except upon
production of an affidavit proving compliance with the requirements
of this paragraph;

(ii) the registrar may appear by counsel upon the hearing of any
such application and upon any other proceedings arising out of or in
reference to the application, and may apply to the Court to make
absolute any order nisi which may have been made by the Court in the
matter of the application, or to make an order that the name of
the solicitor to whom the application relates be struck off the roll or,
as the case may be, that the solicitor do answer the allegations con-
tained in the affidavit, or such other order as the court may deem fit:

(iii) the Court may order the costs of the registrar of or relating
to any of the matters aforesaid to be paid by the solicitor against
whom, or by the person by whom, the application was made, or was
intended to be made, or partly by one and partly by the other of
them.

10. Power of registrar to draw up orders.]—Where an order (whether
nisi or absolute) has been made by the High Court upon a motion to
remove from, or strike off, the roll the name of a solicitor, or to require
a solicitor to answer allegations contained in an affidavit, and has
not been drawn up by the applicant within one week after it was made,
the registrar may cause the order to be drawn up, and all future
proceedings thereon shall be taken as if the motion had been made by the
registrar.

11. Orders of High Court to be produced to registrar.]—Where the
name of any solicitor is ordered by the High Court to be removed from
or struck off, the roll, the order shall forthwith and before it is acted
upon be produced to the registrar, and the registrar shall enter a note

thereof on the roll in connection with the name of the solicitor and
shall remove or strike off the name and shall mark the order as having
been entered.

**12. Limitation of time for certain applications to strike names off
the roll.]—**Subject as hereinafter provided, no solicitor shall be liable
to have his name struck off the roll on account of any defect in his
articles of clerkship, or in the registration thereof, or in his service
thereunder, or in his admission and enrolment, unless the application
to strike his name off the roll is made within twelve months after the
date of his enrolment:

Provided that this section shall not apply in any case where fraud
is proved to have been committed in connection with the articles,
registration, service, admission or enrolment.

Restoration to the Roll.

13. Power to replace name of solicitor on roll.]—(1) The Master of the
Rolls may, if he thinks fit, at any time order the registrar to replace
on the roll the name of a solicitor whose name has been removed from,
or struck off, the roll.

(2) In the case of a solicitor whose name has been struck off the roll
for such an offence as is mentioned in section fifty-one of this Act, an
order under this section shall for the purposes of subsection (2) of
section three of this Act be deemed to be an admission.

PART II.

QUALIFICATIONS FOR ADMISSION AS SOLICITOR.

General.

**14. Service under articles and passing of examinations conditions
precedent to admission.]—**Subject to the provisions of this Part of this
Act, no person shall be admitted as a solicitor unless he—

(a) has been bound by written articles of clerkship (in this Act
referred to as "articles") to serve as an articulated clerk to a practising
solicitor in England for such term as is required by the next succeeding
section and has duly served under those articles for that term; and

(b) has obtained from the Society, or some person authorised in
writing by the Society, a certificate or certificates to the effect that he
has passed—

(i) a preliminary examination, that is to say, an examination
in general knowledge of persons becoming articulated clerks; and

(ii) an intermediate examination, that is to say, an examination
of articulated clerks in order to ascertain the progress made by them
during their articles in acquiring the knowledge necessary for
rendering them fit and capable to act as solicitors; and

(iii) a final examination, that is to say, an examination of
persons applying to be admitted as solicitors as to their articles
and service thereunder and their fitness and capacity to act as
solicitors in all business and matters usually transacted by solicitors
and also, if any allegation is made by the registrar as to the moral
unfitness of any such person to be an officer of the Supreme Court,
an inquiry into the truth of the allegation.

Articles of Clerkship.

15. Term of articles.]—The term for which a person desirous of being
admitted as a solicitor, not being a person exempted from service under
articles by virtue of any provision of this Part of this Act, is required
to be bound by, and serve under, articles shall be determined in ac-
cordance with the provisions of the First Schedule to this Act.

16. Registration of articles.]—(1) All articles shall be produced to the
registrar for registration and the registrar, on being satisfied by a
statutory declaration or such other evidence as he deems sufficient of the
due execution of the articles, shall record the names and addresses of the
parties thereto and the date thereof and the date of the making of the
entry, in a register, which shall be open to the inspection of any person
during office hours without payment.

(2) If the articles of any clerk are not produced to the registrar
for registration within six months from the date thereof, the service
of the clerk shall, unless the Master of the Rolls otherwise directs, be
reckoned as commencing only upon the date of the production of the
articles.

(3) A fee of five shillings shall be payable to the registrar by the person
producing any articles to him for registration under this section.

17. Number of articulated clerks.]—No solicitor shall have more than
two articulated clerks at the same time.

**18. Solicitor ceasing to practise, or employed by another solicitor,
not to take or retain an articulated clerk.]—**(1) No solicitor shall take or retain
any articulated clerk after he has ceased to practise as a solicitor, or while
he is employed as a clerk by another solicitor.

(2) Service by an articulated clerk to a solicitor during any period
whilst such solicitor is employed as aforesaid shall not be deemed to be
good service by the clerk under his articles.

19. Articled clerks to be employed continuously by masters.]—Subject
to the provisions of this Part of this Act, every articulated clerk shall
during the whole term of his articles be actually employed in the proper
business, practice and employment of a solicitor by the solicitor to whom
he is articled.

20. Reckoning of service as pupil with London agent or barrister.]—
For the purposes of the last preceding section, such employment of an
articled clerk as is hereinafter mentioned shall, if undertaken by virtue
of a stipulation in his articles or with the permission of the solicitor

to whom he is bound, be treated as if it had been employment under his articles with that solicitor, that is to say—

(a) in the case of any articulated clerk, employment during any part not exceeding one year of the term of his articles as a bona fide pupil with that solicitor's London agent in the business practice or employment of a solicitor; and

(b) in the case of a clerk bound by articles to serve for a term of four years or longer, employment during any part not exceeding one year of the said term as a bona fide pupil with a practising barrister in England or a practising certificated special pleader in England, either in addition to such employment as is mentioned in the preceding paragraph, or in lieu thereof.

21. Articled clerks not to take other employment except with approval of a judge.—(1) Subject to the provisions of this Part of this Act, no articulated clerk shall during the term of his articles hold any office or engage in any employment other than the employment of clerk to the solicitor to whom he is bound or his partner, if any, in the business, practice and employment of a solicitor.

(2) This section shall not apply to any articulated clerk who, before he enters upon or engages in any office or employment, has obtained—

(a) the written consent of the solicitor to whom he is bound; and

(b) an order of the Master of the Rolls or of a judge of the High Court sanctioning the holding by him of the office or his engagement in the employment.

(3) An order made under subsection (2) of this section may impose on the applicant such terms and conditions with regard to the office or employment as the Master of the Rolls or judge may think fit, and where any terms or conditions are so imposed and the applicant accepts or engages in the office or employment, he shall, before being admitted, prove to the satisfaction of the Master of the Rolls, or a judge of the High Court, and of the examiners appointed by the Society for the purposes of this Part of this Act that he has duly observed and fulfilled those terms and conditions.

(4) An articulated clerk who has omitted to make an application for an order under subsection (2) of this section before entering upon or engaging in an office or employment may at any time during the remainder of the term of his articles, or within one year after the expiration thereof, make to the Master of the Rolls, or a judge of the High Court, an application for an order relieving him from any disability under subsection (1) of this section; and, if he proves by affidavit from the solicitor to whom he was bound, or other satisfactory evidence, that his holding of the office or engagement in the employment was with the consent of the solicitor and has not interfered with due service under his articles, the judge hearing the application may grant such relief and, as a condition thereof, may make such order as he thinks fit with respect to the applicant's service for the remainder (or any part of the remainder) of the term of his articles subsequent to his entering upon the office or engaging in the employment, or with respect to the passing of any examination.

(5) Not less than fourteen days before making an application for any order under this section, the applicant shall give written notice of his intention to the registrar stating his name and residence and the name and residence of the solicitor to whom he is, or was, bound and the nature of the office or employment and the time which it is expected to occupy, or has occupied.

22. Default of solicitor in certain respects not to disqualify his articulated clerk.—No person shall be disqualified for admission as a solicitor, or be liable to be struck off the roll, by reason only of any solicitor whom he has served for the whole or any part of the term of articulated service required by this Act having neglected or omitted to take out a practising certificate in accordance with the provisions of this Act, or by reason only of any solicitor whom he has served for any period having been after the termination of that period, removed from or struck off the roll.

23. Master of Rolls may in certain cases disregard irregularities of service under articles.—Where an articulated clerk has not served under his articles in strict accordance with the provisions of this Part of this Act but has after the execution of his articles bona fide served, either continuously or not, one or more solicitors as an articulated clerk for periods equal in the aggregate to the full term for which he was originally articulated and has complied with the other requirements of this Part of this Act, the Master of the Rolls may, if he is satisfied that the irregularity in the service was occasioned by accident, mistake or other sufficient cause and that the service, though irregular, was substantially equivalent to service in accordance with the provisions of this Part of this Act, admit the clerk as if the service had been regular service.

24. Rights of articulated clerk upon bankruptcy, &c., of solicitor.—

(1) Where before the expiration of the term for which a clerk is articulated the solicitor to whom he is articulated is adjudged bankrupt or is imprisoned for debt and remains in prison for twenty-one days, the High Court upon the application of the clerk may order his articles to be discharged, or to be transferred to another solicitor on such terms and in such manner as the court may think fit.

(2) Nothing in the last preceding subsection shall be construed as limiting or affecting—

(i) any power of the High Court in relation to articles, other than the powers mentioned in that subsection; or

(ii) the provisions of section thirty-four of the Bankruptcy Act, 1914.

25. Fresh articles in case of death or retirement of solicitor, or if articles cancelled or discharged.—(1) Where before the expiration of the term for which a clerk is articulated the solicitor to whom he is articulated ceases to practise as a solicitor, or dies, or his articles are cancelled by mutual consent, or discharged by the High Court, the clerk may be bound by fresh articles to another practising solicitor for the residue of the said term and service under those articles in accordance with the provisions of this Part of this Act shall be good service.

(2) The foregoing provisions of this Part of this Act with respect to the registration of articles shall apply to fresh articles entered into in accordance with the provisions of this section.

Examinations.

26. Examinations to be held under management of Law Society.—

(1) The Law Society shall hold at least three times in every year a preliminary examination, an intermediate examination and a final examination.

(2) Subject to the provisions of this Act, the Society shall have the entire management and control of all such examinations and may make regulations with respect to all or any of the following matters, that is to say—

(a) the subjects for, and the mode of conducting, the examination of candidates;

(b) the times and places of examinations and notices thereof;

(c) the certificates to be given to persons passing any examination;

(d) the appointment and removal of examiners and their remuneration by fees or otherwise; and

(e) any other matter as to which the Society deem it expedient to make regulations for the purposes of this section.

(3) The Society shall conduct the examinations independently of any school of law, and no members of the teaching staff of any school of law provided by the Society shall take any part in any such examination.

(4) Copies of all regulations made under this section shall be transmitted forthwith to the Master of the Rolls, the Lord Chancellor and the Lord Chief Justice, and if within twenty-eight days after a copy of any such regulation has been so transmitted, any two of those judges (the Master of the Rolls being one) signify by writing under their hands addressed to the President, Vice-President or Secretary of the Society their dissent from that regulation, or any part thereof, that regulation, so far as dissented from, shall be of no effect.

(5) If after any such regulation or any part thereof has come into force any two of the judges above-mentioned (the Master of the Rolls being one) signify in manner aforesaid their dissent from that regulation, or any part thereof, that regulation so far as dissented from, shall on the expiration of two months cease to have effect.

27. Fees in respect of examinations.—(1) Any person applying to be examined or re-examined at a preliminary, intermediate or final examination shall pay to the Society in respect of those examinations such fees, and in such proportions and at such times, as may from time to time be determined by regulations made by the Master of the Rolls with the concurrence of the Lord Chancellor and the Lord Chief Justice or (in case of difference) of one of them.

(2) All fees paid under this section shall be applied by the Society towards the expenses from time to time incurred by them in connection with examinations and the lectures, classes and other teaching provided by them for persons articulated, or about to become articulated.

28. General exemptions from preliminary examination.—(1) Every person shall be exempted from the preliminary examination who—

(a) has taken a degree, not being an honorary degree, in arts or law at any University specified in the Second Schedule to this Act; or

(b) has passed the examination in Responsions at Oxford, or the previous examination at Cambridge, or the matriculation or other corresponding examination at any other University specified in the said schedule, or any examination accepted by any such University as exempting from those examinations; or

(c) has been called to the Bar in England; or

(d) had before the fourth day of August, nineteen hundred and twenty-seven, passed any of the examinations referred to in section ten of the Solicitors Act, 1877 (as amended by any other enactment) or in any regulations made under that section.

(2) Any dispute whether an examination is for the purposes of this section an examination corresponding to a matriculation examination, shall be decided by the Board of Education.

(3) The Board of Education, after consultation with the Law Society, and with the concurrence of the Lord Chancellor, the Lord Chief Justice and the Master of the Rolls, or any two of them, may by regulations add to the examinations the passing of which exempts from the preliminary examination and prescribe, if it appears necessary, the conditions and standards to be complied with in connection with any examination so added, and on the making of any such regulation this section shall have effect accordingly.

(4) As respects Universities and examinations in Scotland, the powers conferred by this section on the Board of Education shall be exercisable by the Scottish Education Department.

29. Special exemptions from preliminary examination.—The Master of the Rolls or the Lord Chief Justice may in special circumstances

exempt any person from the preliminary examination, or any part thereof, either unconditionally or subject to such conditions as he may think fit.

30. Exemptions from intermediate examination.—The Society may by regulations made under section twenty-six of this Act exempt from the intermediate examination, or any part thereof, any person who has obtained—

(a) the degree of Bachelor of Civil Law, or of Laws, or of Law, or a certificate of having passed the examination required for any such degree, at any University in the United Kingdom; or

(b) any such other degree or distinction in any school or faculty of law or jurisprudence at any University in the United Kingdom as may be specified in the regulations.

31. Date for admission to final examination.—A person who has entered into articles for the required term and has duly served thereunder and complied with the provisions of this Part of this Act may present himself for final examination at the examination next preceding the expiration of the term of his articles or at any subsequent examination.

32. Conditions of admission to final examination.—(1) Subject as hereinafter provided, a person articulated to a solicitor after the thirty-first day of December, nineteen hundred and twenty-two shall not be admitted to the final examination unless he satisfies the Society that he has during a period of one year, such period being continuous or subject to such intervals as the Society may think reasonable, complied with the requirements of the Society as to attendance at a course of legal education at a law school provided or approved by the Society:

Provided that—

(a) the Society, if satisfied that the attendance of any person at such a course of education was, for geographical or other reasons, impracticable shall exempt him wholly or partly from the provisions of this section; and

(b) any person may appeal to the Master of the Rolls, in accordance with rules made by him, against the refusal of the Society to exempt him from the provisions of this section, or to approve any law school for the purposes of this section, and the decision of the Master of the Rolls shall be final and binding on the Society; and

(c) the provisions of this section shall not apply to any person who—

(i) proves to the satisfaction of the Society, or on appeal to the satisfaction of the Master of the Rolls, that he has taken a degree at any university specified in the Second Schedule to this Act after passing thereat a final examination in law; or

(ii) applies to be admitted to the final examination after duly serving as clerk to a solicitor for ten years and thereafter as an articulated clerk for the required term.

(2) The Society shall supply a list of law schools provided or approved by them for the time being to any person who applies therefor and to every articulated clerk as soon as may be after his articles are registered.

33. Appeal to Master of the Rolls in cases of failure to pass intermediate or final examination.—(1) Any candidate at an intermediate or a final examination who either on account of the nature or difficulty of the questions put to him by the examiners, or on any other ground whatsoever, objects to the refusal to him of a certificate of his having passed that examination may within one month after the refusal appeal to the Master of the Rolls by petition presented in such manner and subject to such regulations as the Master of the Rolls may from time to time direct.

(2) Upon the hearing of any petition presented to him under this section, the Master of the Rolls may make such order as he thinks fit, and where he orders the admission of a petitioner to whom a certificate of having passed a final examination has been refused, such order shall entitle the petitioner to receive from the Society the like certificate as he would have received if he had passed the final examination.

Special Exemptions from Articled Service and certain Examinations.

34. Exemption of certain barristers from service under articles and intermediate examination.—Any barrister of not less than five years standing at the English bar who procures himself to be disbarred with a view to becoming a solicitor and obtains from two benchers of the Inn of Court to which he belongs, or belonged, a certificate of his being a fit and proper person to practise as a solicitor shall be exempted from service under articles and from the intermediate examination and from such part of the final examination as relates to articles and service thereunder.

35. Privileges of certain colonial solicitors.—(1) A solicitor of a superior court in a British possession to which this section applies who has been in practice before such court for not less than three years may—

(a) on giving due notice and the prescribed proof of his qualifications and good character; and

(b) on passing the prescribed examination or, in the prescribed cases, without examination; and

(c) after service under articles during the prescribed period or, in the prescribed cases, without such service;

be admitted as a solicitor upon payment of the prescribed amount in respect of stamp duties and fees.

(2) Where as respects a superior court in a British possession, His Majesty in Council is satisfied on the report of a Secretary of State—

(a) that the regulations respecting the admission of solicitors of that court are such as to secure that those solicitors possess proper qualifications and competency; and

(b) that by the law of that possession solicitors of the Supreme Court will be admitted as solicitors of the superior court in that possession on terms as favourable as those in which it is proposed to admit solicitors of that superior court in pursuance of this section as solicitors of the Supreme Court;

His Majesty may by Order in Council apply this section to the said superior court and British possession subject to any exceptions, conditions and modifications specified in the Order, and by the same or any subsequent Order in Council may, as respects that court and possession, provide for all matters authorised by this section to be prescribed and for all matters appearing to His Majesty to be necessary or proper for giving effect to the Order and to this Act.

(3) His Majesty may by Order in Council revoke or vary any Order previously made under this section.

(4) In this section, the expressions "superior court" and "solicitor" mean respectively, as respects any British possession, such court in the possession and such solicitor, attorney, law agent or other person entitled to practise as agent in a court of law in that possession as may be prescribed; and for the purpose of this section a part of a British possession under a local legislature may be treated as a British possession.

(5) An Order in Council applying this section to a court in a British possession and providing for the admission of solicitors of that court as solicitors in England, and an Order in Council applying the Colonial Solicitors Act, 1900, to the same court and providing for the admission of solicitors of that court as law agents in Scotland may, if it be convenient, be made together as one Order.

(6) A person admitted under the Colonial Solicitors Act, 1900, whether before or after the commencement of this Act, as a law agent in Scotland or as a solicitor in Northern Ireland, shall not, whilst remaining a law agent in Scotland, or a solicitor in Northern Ireland as the case may be, be admitted under this section as a solicitor in England, and for the purposes of this provision a person who before the first day of October, nineteen hundred and twenty-one, was admitted under the Colonial Solicitors Act, 1900, as a solicitor in Ireland shall be deemed to have been admitted under that Act as a solicitor in Northern Ireland.

(7) For the purposes of subsection (2) of section six of the Colonial Solicitors Act, 1900, a person admitted as a solicitor in England under this section shall be deemed to have been so admitted under that Act.

PART III.

PRACTISING CERTIFICATES.

36. Registrar to issue practising certificates.—It shall be the duty of the registrar to issue in accordance with the provisions of this Part of this Act certificates (in this Act referred to as "practising certificates") authorising the solicitors named therein to practise as solicitors subject to their certificates being duly stamped.

37. Applications for practising certificates.—(1) Every solicitor applying for a practising certificate shall, in person or by his agent,—

(a) deliver to the registrar a written declaration, in the form set out in the Third Schedule to this Act or in a form to the like effect, stating the name and place of business of the applicant and the date of his admission and signed by the applicant or his partner or, if the place of business of the applicant is more than twenty miles from London, by his London agent on his behalf; and

(b) at the same time produce to the registrar a duly signed duplicate of the declaration.

(2) The registrar shall cause all the particulars contained in a declaration to be entered in a register kept for that purpose, and any person may inspect such register during office hours without payment.

(3) Subject to the provisions of the next succeeding section, the registrar, if satisfied that the name of the applicant is on the roll, shall, after the expiration of six days from the delivery to him of the declaration, deliver to the applicant or his agent upon demand a practising certificate in the form set out in the Third Schedule to this Act or in a form to the like effect.

(4) If in any case, not being a case to which the next succeeding section applies, the registrar on application duly made to him refuses or neglects to issue a practising certificate, the applicant may apply to the High Court or any judge thereof or the Master of the Rolls who may make such order in the matter, including an order for payment of costs by or to either the registrar or the applicant, as shall be just.

(5) There shall be paid to the registrar in respect of every practising certificate issued by him a fee of one pound, or such less fee as the Master of the Rolls with the concurrence of the Lord Chancellor and the Lord Chief Justice, or (in case of difference) of one of them, may from time to time by order determine.

(6) Out of every fee received by the registrar under this section five shillings may be applied by him to his own use and the remainder shall be applied in such manner as the Society may think fit towards the expenses of their school in London and the making of grants to approved law schools elsewhere, and the registrar shall submit annually to the judges mentioned in the last preceding subsection an account of all such fees and of their application, and shall cause a copy of the account to be deposited at the hall of the Society for inspection by any solicitor.

38. Discretion of registrar to refuse certificate in special cases.—In any of the following cases, that is to say, where a solicitor—

(a) applies for a practising certificate, having neglected so to do for twelve months after the expiration of the last certificate issued to him; or

(b) applies for a practising certificate whilst he is an undischarged bankrupt; or

(c) having been suspended from practice or struck off the roll, first applies for a practising certificate after the expiration of his suspension or after his re-admission to the roll, as the case may be, he must, unless the registrar or the Master of the Rolls otherwise orders, give to the registrar, at least six weeks before the application is made, notice of his intention to make the application, and the registrar may in his discretion refuse the application, subject, however, to an appeal to the Master of the Rolls, who may affirm the decision of the registrar or may direct him to issue a certificate to the applicant on such terms and conditions, if any, as the Master of the Rolls may think fit.

39. Stamping of practising certificates.—The Commissioners of Inland Revenue, upon delivery to them of a practising certificate together with the amount of the duty payable in respect thereof and the duplicate declaration produced to the registrar upon the application therefor, shall stamp the certificate and, after certifying thereon the date on which the duty was, or is deemed for the purposes of this Act to have been, paid, shall return it to the applicant or his agent.

40. Entry on roll of date of stamping certificate.—It shall be the duty of the registrar to enter upon the roll a note of the date on which the stamp duty on the practising certificate issued to any solicitor was, or is deemed for the purposes of this Act to have been, paid, and for the purpose of enabling the registrar to enter the note the following provisions of this section shall have effect:—

(i) upon the request of the registrar made at any time after the fifteenth day of February in any year, the Commissioners of Inland Revenue shall at their option either—

(a) transmit to the registrar an account of the certificates issued between the fifteenth day of November and the second day of January next preceding and stamped during that period, specifying the names and places of business of the solicitors to whom they were issued and the dates on which the stamp duties thereon were, or are deemed to have been paid; or

(b) return to the registrar the duplicate declarations relating to all such certificates as aforesaid with a memorandum on each declaration specifying the date on which the duty was, or is deemed to have been, paid; and

(ii) every certificate, not being a certificate to which the preceding paragraph applies, shall, within a month after the stamping thereof, be produced to the registrar who, after making the required entry on the roll, shall make on the certificate a memorandum of the entry having been made.

41. Date and period of validity of practising certificates.—(1) Every practising certificate issued between the fifteenth day of November and the sixteenth day of December in any year shall bear the date of the sixteenth day of November in that year and every other practising certificate shall bear the date of the day on which it is issued.

(2) Every practising certificate issued between the fifteenth day of November and the sixteenth day of December in any year, and stamped before the said sixteenth day of December, shall have effect for all purposes from the sixteenth day of November in that year and that date shall for the purposes of this Act, be deemed to be the date of the payment of the duty thereon.

(3) Every practising certificate, not being a certificate to which the last preceding subsection applies, shall, subject as hereinafter provided, take effect on the day on which it is stamped:

Provided that a certificate which is required by subparagraph (ii) of the last preceding section to be produced to the registrar and is not so produced within one month after the stamping thereof shall take effect only on the date on which it is so produced, unless the Master of the Rolls directs that it shall take effect from the date of the stamping thereof or from some subsequent date.

(4) Every certificate shall continue in force from the day from or on which it has or takes effect in accordance with this section until the fifteenth day of November next following (both days inclusive) and shall then expire.

42. Law list to be prima facie evidence of solicitor holding certificate.—

(1) Any list purporting to be published by authority of the Commissioners of Inland Revenue and to contain the names of solicitors and conveyancers who have obtained stamped practising certificates for the current year before the second day of January in that year shall, until the contrary is proved, be evidence that the persons named therein as solicitors holding such certificates as aforesaid for the current year are solicitors holding such certificates.

(2) The absence from such list of the name of any person shall, until the contrary is proved, be evidence that that person is not qualified to practise as a solicitor under a certificate for the current year, but in the case of any such person an extract from the roll certified as correct by the registrar shall be evidence of the facts appearing in the extract.

PART IV.

PRIVILEGES, RESTRICTIONS AND OFFENCES IN CONNECTION WITH PRACTICE.

43. Qualifications for practising as solicitor.—No person shall be qualified to act as a solicitor unless his name is on the roll and he has in

force a duly stamped practising certificate, and a person who is not so qualified is in this Part of this Act referred to as an "unqualified person."

44. Rights of practising and rights of audience.—(1) Every person so qualified as aforesaid may practise as a solicitor—

(i) in the Supreme Court; and

(ii) upon signing the roll of Solicitors of any inferior court of law or equity which keeps such a roll (but without payment of any fee), in that court; and

(iii) in all courts and before all persons having jurisdiction in matters ecclesiastical; and

(iv) in all matters relating to applications to obtain notarial faculties,

and shall be entitled to all the rights and privileges, and may exercise and perform all the powers and duties, formerly appertaining to the office or profession of a proctor in the provincial, diocesan, or other jurisdictions in England:

Provided that nothing in this Act shall affect the provisions of section one hundred and twenty of the Supreme Court of Judicature (Consolidation) Act, 1925, or section forty-one or section seventy-two of the County Courts Act, 1888, or any other enactment in force at the commencement of this Act and restricting the right of any solicitor to practise as such in any court.

(2) Nothing in this Act shall prejudice or affect any right of practising or being heard in, before or by any court, tribunal or other body which immediately before the commencement of this Act was enjoyed by virtue of any enactment, rule, order or regulation or by custom or otherwise by persons qualified to act as solicitors.

45. Unqualified person not to act as solicitor.—(1) No unqualified person shall act as a solicitor, or as such sue out any writ or process, or commence, carry on or defend any action, suit or other proceeding, in the name of any other person or in his own name, in any court of civil or criminal jurisdiction, or act as a solicitor in any cause or matter, civil or criminal, to be heard or determined before any court of assize, any general or quarter sessions, any justice or justices, or any commissioners of His Majesty's revenue.

(2) If any person contravenes the provisions of this section, he shall be guilty of a misdemeanour and of contempt of the court in which the action, suit, cause, matter or proceeding in relation to which he so acts is brought or taken and may be punished accordingly, and shall be incapable of maintaining any action for any costs in respect of anything done by him in the course of so acting, and shall, in addition to any other penalty or forfeiture and any disability to which he may be subject, be liable for each such offence to a penalty of fifty pounds to be recovered, with full costs of action, by action brought in the High Court, or in any County Court, by the Society with the sanction of the Attorney-General, and to be applied to the use of His Majesty.

46. Penalty for pretending to be a solicitor.—Any person, not having in force a practising certificate, who wilfully pretends to be, or takes or uses any name, title, addition or description implying that he is, qualified or recognised by law as qualified to act as a solicitor, shall be liable on summary conviction to a penalty not exceeding ten pounds for each such offence.

47. Penalty on unqualified practitioner preparing certain instruments.—

(1) Any person, not being a barrister, or a duly certificated solicitor, law agent, writer to the signet, notary public, conveyancer, special pleader, or draftsman in equity, who, for or in expectation of any fee, gain or reward, either directly or indirectly, draws or prepares any instrument relating to real or personal estate, or any legal proceeding, shall be liable on summary conviction to a fine not exceeding fifty pounds.

(2) Notwithstanding anything in the Summary Jurisdiction Acts, proceedings in respect of any offence under this section may be brought at any time within two years next after the commission of the offence or within six months next after the first discovery thereof by the prosecutor, whichever period is the shorter.

(3) This section shall not extend to—

(a) any public officer drawing or preparing instruments in the course of his duty; or

(b) any person employed merely to engross any instrument or proceeding.

(4) For the purposes of this section, the expression "instrument" does not include—

(a) a will or other testamentary instrument; or

(b) an agreement under hand only; or

(c) a letter or power of attorney; or

(d) a transfer of stock containing no trust or limitation thereof.

48. Penalty on unqualified practitioner preparing certain documents for purposes of Land Registration Act, 1925.—Any person, not being a barrister or a duly certificated solicitor, notary public or conveyancer, who, for or in expectation of any fee, gain or reward, either directly or indirectly, draws or prepares any instrument of transfer or charge for the purposes of the Land Registration Act, 1925, or makes any application or lodges any document for registration under that Act at the registry, shall on summary conviction be liable to a fine not exceeding fifty pounds:

Provided that this section shall not extend to—

(a) any public officer drawing or preparing instruments and applications in the course of his duty; or

(b) any person employed merely to engross any instrument or application.

49. Penalty on unqualified practitioner acting in preparation of papers for probate, &c.]—Any person, not being a barrister, or a duly certificated solicitor, notary public, conveyancer, special pleader, or draftsman in equity, who for or in expectation of any fee, gain or reward, either directly or as an agent of any other person, whether a person qualified as above mentioned or not, takes instructions for or draws or prepares any papers on which to found or oppose a grant of probate or of letters of administration shall, without prejudice to any liability or disability to which he may be subject under any other section of this Act or under any other Act, be liable on summary conviction to a penalty not exceeding ten pounds for each such offence.

50. No costs recoverable where unqualified person acts as solicitor.]—No costs in respect of anything done by any person who acts as a solicitor at a time when he has not in force a practising certificate shall be recoverable in any action, suit or matter by any person whatsoever.

51. Solicitor not to act as agent for unqualified person.]—(1) No solicitor shall wilfully and knowingly act as agent in any action, or in any matter in bankruptcy for any unqualified person, or permit his name to be made use of in any such action, or matter upon the account, or for the profit, of any unqualified person, or send any process to any unqualified person, or do any other act enabling any unqualified person to appear, act or practise in any respect as a solicitor in any such action or matter.

(2) Where it appears to the disciplinary committee or, as the case may be, to the High Court, that a solicitor has acted in contravention of this section, his name shall be struck off the roll.

(3) Where the High Court order the name of a solicitor to be struck off the roll in respect of an offence under this section, they may further order that the unqualified person who was enabled by the conduct of the offender to act or practise as a solicitor shall be imprisoned for any period not exceeding one year.

52. Employment by solicitor of persons struck off the roll or suspended.]—(1) No solicitor shall, in connection with his practice as a solicitor, without the written permission of the Law Society, which may be given for such period and subject to such conditions as the Society think fit, employ or remunerate any person who to his knowledge is disqualified from practising as a solicitor by reason of the fact that his name has been struck off the roll, otherwise than at his own request, or is suspended from practising as a solicitor.

(2) A solicitor aggrieved by the refusal of the Society to grant any such permission as aforesaid, or by any conditions attached by the Society to the grant thereof, may appeal to the Master of the Rolls, who may confirm the refusal or the conditions, as the case may be, or may, in lieu of the Society, grant such permission for such period and subject to such conditions as he thinks fit.

(3) If any solicitor acts in contravention of the provisions of this section or of the conditions subject to which any permission has been given thereunder, his name shall be struck off the roll or he shall be suspended from practice for such period as the disciplinary committee, or the High Court, think fit.

53. Solicitors not to commence or defend actions whilst in prison.]—(1) No solicitor whilst a prisoner in any prison shall as a solicitor, in his own name or in the name of any other solicitor, sue out any writ or process, or commence, prosecute or defend any action or any matter in bankruptcy.

(2) Any solicitor commencing, prosecuting or defending any such action or matter in contravention of this section shall be incapable of maintaining any action for the recovery of any costs in respect of any business done by him whilst so confined as aforesaid, and he and any solicitor permitting him to commence, prosecute or defend any such action or matter in his name, shall be guilty of contempt of the court in which such action or matter was commenced or prosecuted and may be punished accordingly.

54. Solicitor justices in counties.]—It shall not be lawful for any solicitor who is a justice of the peace for any county, riding or division of a county, nor, subject as hereinafter provided, for any partner of his, to practise directly or indirectly before any justices for that county, riding or division, or for any borough within that county, riding or division:

Provided that, in the case of a solicitor who is a justice of the peace for the county of London by virtue only of his office as mayor of a metropolitan borough, nothing in this section shall disqualify any partner of his for practising as a solicitor before any justices of the said county.

55. Penalty on failure to disclose fact of having been struck off, &c.]—(1) Any person who, whilst he is disqualified from practising as a solicitor by reason of the fact that he has been struck off the roll otherwise than at his own request or is suspended from practising as a solicitor seeks or accepts employment by a solicitor in connection with that solicitor's practice without previously informing him that he is so disqualified as aforesaid, shall on summary conviction be liable for each offence to a fine not exceeding ten pounds.

(2) Notwithstanding anything in the Summary Jurisdiction Acts, proceedings under this section may be commenced at any time before the expiration of six months after the first discovery of the offence by the prosecutor, but no such proceedings shall be commenced except by, or with the consent of, the Attorney-General.

PART V.

REMUNERATION OF SOLICITORS.

Non-contentious Business.

56. Power to make general orders as to remuneration of solicitors in non-contentious business.]—(1) For the purposes of this section there shall be a committee consisting of the following persons—

- (i) The Lord Chancellor;
- (ii) The Lord Chief Justice;
- (iii) The Master of the Rolls;
- (iv) The President of the Society;

(v) A solicitor, being the president of a provincial law society, nominated by the Lord Chancellor to serve on the committee during his tenure of office as president; and

(vi) Subject to the provisions of the next succeeding subsection, the Chief Land Registrar appointed under the Land Registration Act, 1925.

(2) The committee or any three of them (the Lord Chancellor being one) may make general orders prescribing and regulating in such manner as they think fit the remuneration of solicitors in respect of non-contentious business and may revoke or alter any such order:

Provided that the Chief Land Registrar shall be deemed to be a member of the committee for the purpose only of prescribing and regulating the remuneration of solicitors in respect of business under the Land Registration Act, 1925.

(3) One month at least before any such order is made, the Lord Chancellor shall cause a draft thereof to be sent to the Council, and the committee shall, before making the order, consider any observations in writing submitted to them by the Council within the said month, and may then make the order, either in the form of the draft or with such alterations or additions as they may think fit.

(4) An order under this section shall not take effect until one month after it has been laid before each House of Parliament, and if within that month an address is presented to His Majesty by either House seeking the disallowance of the order, in whole or in part, His Majesty may, by Order in Council, disallow the order in whole or in part, as the case may be, and the order, so far as disallowed, shall not take effect.

(5) An order under this section may, as regards the mode of remuneration, prescribe that it shall be according to a scale of rates of commission or percentage, varying or not in different classes of business, or by a gross sum, or by a fixed sum for each document prepared or perused, without regard to length, or in any other mode, or partly in one mode and partly in another, and may regulate the amount of remuneration with reference to all or any of the following, among other, considerations, that is to say—

(i) the position of the party for whom the solicitor is concerned in the business, that is, whether as vendor, or purchaser, lessor or lessee, mortgagor or mortgagee, and the like;

(ii) the place where, and the circumstances in which, the business or any part thereof is transacted;

(iii) the amount of the capital money or rent to which the business relates;

(iv) the skill, labour and responsibility involved therein on the part of the solicitor;

(v) the number and importance of the documents prepared or perused, without regard to length;

(6) An order under this section may authorise and regulate—

(a) the taking by a solicitor from his client of security for payment of any remuneration, to be ascertained by taxation or otherwise, which may become due to him under any such order; and

(b) the allowance of interest.

(7) As long as any order under this section is in operation, the taxation of bills of costs of solicitors shall, subject to the provisions of the next succeeding section with respect to agreements as to remuneration, be regulated by that order.

(8) In this section, the expression "provincial law society" means any body of solicitors in England, other than the Society, incorporated by Royal Charter or under any enactment relating to companies, and in this and the next succeeding section the expression "client" includes any person who, as a principal or on behalf of another, or as a trustee or executor, or in any other capacity, has power, express or implied, to retain or employ, and retains or employs, or is about to retain or employ, a solicitor, and any person for the time being liable to pay to a solicitor for his services any costs.

57. Agreements with respect to remuneration for non-contentious business.]—(1) Whether or not any order is in force under the last preceding section, a solicitor and his client may, either before or after or in the course of the transaction of any non-contentious business by the solicitor, make an agreement as to the remuneration of the solicitor in respect thereof.

(2) The agreement may provide for the remuneration of the solicitor by a gross sum, or by commission or percentage, or by salary, or otherwise, and it may be made on the terms that the amount of the remuneration therein stipulated for either shall or shall not include all or any disbursements made by the solicitor in respect of searches, plans, travelling, stamps, fees or other matters.

(3) The agreement shall be in writing and signed by the person to be bound thereby or his agent in that behalf.

(4) The agreement may be sued and recovered on or set aside in the like manner and on the like grounds as an agreement not relating to the remuneration of a solicitor:

Provided that if on any taxation of costs the agreement is relied on by the solicitor and objected to by the client as unfair or unreasonable, the taxing officer may enquire into the facts and certify them to the court and if on that certificate it appears just to the court that the agreement should be cancelled, or the amount payable thereunder reduced, the court may order the agreement to be cancelled, or the amount payable thereunder to be reduced, and may give such consequential directions as they think fit.

58. Remuneration of a solicitor who is a mortgagee.—(1) If a mortgage is made to a solicitor, either alone or jointly with any other person, he, or the firm of which he is a member, shall be entitled to recover from the mortgagor in respect of all business transacted and acts done by him or them in negotiating the loan, deducting and investigating the title to the property, and preparing and completing the mortgage, such usual costs as he or they would have been entitled to receive if the mortgage had been made to a person who was not a solicitor and that person had retained and employed him or them to transact the said business and do the said acts.

(2) If, whether before or after the commencement of this Act, a mortgage has been made to, or has become vested by transfer or transmission in, a solicitor, either alone or jointly with any other person, and if after the commencement of this Act any business is transacted or acts are done by that solicitor, or by the firm of which he is a member, in relation to that mortgage, or the security thereby created or the property comprised thereunder, then he or they shall be entitled to recover from the person on whose behalf the business was transacted or the acts were done, and to charge against the security such usual costs as he or they would have been entitled to receive if the mortgage had been made to and had remained vested in a person who was not a solicitor and that person had retained and employed him or them to transact the said business and do the said acts.

(3) In this section the expression "mortgage" includes any charge on any property for securing money or money's worth.

Contentious Business.

59. Power to make agreements as to remuneration for contentious business.—A solicitor may make an agreement in writing with his client as to his remuneration in respect of any contentious business done, or to be done, by him providing that he shall be remunerated either by a gross sum, or by salary or otherwise, and at either a greater or a less rate than that at which he would otherwise have been entitled to be remunerated.

60. Miscellaneous provisions as to agreements with respect to costs of contentious business.—(1) Such an agreement—

(i) shall not affect the amount of, or any rights or remedies for the recovery of, any costs payable by the client to, or to the client by, any person other than the solicitor, and that person may, unless he has otherwise agreed, require any such costs to be taxed according to the rules for the time being in force for the taxation thereof:

Provided that the client shall not be entitled to recover from any other person under any order for the payment of any costs to which the agreement relates more than the amount payable by him to his solicitor in respect thereof under the agreement:

(ii) shall be deemed to exclude any claim by the solicitor in respect of the business to which it relates other than—

- (a) a claim for the agreed costs; or
- (b) a claim for such costs as are expressly excepted therefrom.

(2) A provision in such an agreement that the solicitor shall not be liable for negligence, or that he shall be relieved from any responsibility to which he would otherwise be subject as a solicitor, shall be void.

(3) No action shall be brought upon any such agreement, but the Court may, on the application of any person who is a party to, or the representative of a party to, the agreement, or who is, or who is alleged to be, liable to pay, or who is or claims to be entitled to be paid, the costs due or alleged to be due in respect of the business to which the agreement relates, enforce or set aside the agreement and determine every question as to the validity or effect thereof.

(4) On any such application, the court—

(a) if they are of opinion that the agreement is in all respects fair and reasonable, may enforce it;

(b) if they are of opinion that the agreement is in any respect unfair or unreasonable, may declare it void and may order it to be given up to be cancelled and may order the costs covered thereby to be taxed as if the agreement had never been made;

(c) in any case, may make such orders as to the costs of the application as they think fit.

(5) If the business covered by any such agreement is business done, or to be done, in any action, the amount payable under the agreement shall not be received by the solicitor until the agreement has been examined and allowed by a taxing officer of the court, and if the taxing officer is of opinion that the agreement is unfair or unreasonable, he may require the opinion of the court to be taken thereon and the court may reduce the amount payable thereunder, or order the agreement to be cancelled and the costs covered thereby to be taxed as if the agreement had never been made.

(6) When the amount agreed for under any such agreement has been paid by or on behalf of the client or by any person entitled so to do, the person making the payment may at any time within twelve months after payment apply to the court and the court, if it appears to them that the special circumstances of the case require the agreement to be re-opened, may, on such terms as may be just, re-open the agreement and may order the costs covered thereby to be taxed and the whole or any part of the amount received by the solicitor to be repaid by him.

(7) Where any such agreement is made by the client as the guardian or committee of, or as a trustee under a deed or will for, any person whose property will be chargeable with the whole or any part of the amount payable under the agreement, the agreement shall, before payment, be laid before the taxing officer of the court, and that officer shall examine the agreement and may disallow any part thereof, or may require the opinion of the court to be taken thereon.

(8) Any such client as is mentioned in the last preceding subsection who pays the whole or any part of the amount payable under the agreement without the agreement having been allowed by the officer or by the court, shall be liable at any time to account to the person whose property is charged with the whole or any part of the amount so paid for the sum so charged, and the solicitor who accepts the payment may be ordered by the court to refund the amount received by him.

(9) In this and the next succeeding section the expression "court" means—

(i) in relation to an agreement under which any business has been done in any court having jurisdiction to enforce and set aside agreements, any such court in which any of that business has been done;

(ii) in relation to an agreement under which no business has been done in any such court, and under which more than fifty pounds is payable, the High Court;

(iii) in relation to an agreement under which no business has been done in any such court and under which not more than fifty pounds is payable, the judge of any county court which would, but for the provisions of this section prohibiting the bringing of an action on the agreement, have had jurisdiction in an action thereon.

61. Death, incapacity, or change of solicitor, &c.—(1) If, after some business has been done under an agreement, made in pursuance of the provisions of section fifty-nine of this Act, but before the solicitor has wholly performed it, the solicitor dies or becomes incapable of acting, then any party to, or the representative of any party to, the agreement, may apply to the court, and the court shall have the same jurisdiction as to enforcing the agreement so far as it has been performed, or setting it aside, as they would have had if the solicitor had not died or become incapable of acting:

Provided that the court may, notwithstanding that they are of opinion that the agreement is in all respects fair and reasonable, order the amount due in respect of the business done thereunder to be ascertained by taxation, and in that case—

(a) the taxing officer, in ascertaining that amount, shall have regard so far as may be to the terms of the agreement; and

(b) payment of the amount found by him to be due may be enforced in the same manner as if the agreement had been completely performed.

(2) The provisions of the last preceding subsection shall apply in the event of the client changing his solicitor (as, notwithstanding the agreement, he shall be entitled to do) before the conclusion of the business to which the agreement relates in the same manner as they apply when the solicitor dies or is incapacitated, with this modification, that if an order is made for the taxation of the amount due to the solicitor in respect of the business done under the agreement, the court shall direct the taxing officer to have regard to the circumstances under which the change of solicitor has taken place, and the taxing officer, unless he is of opinion that there has been no default, negligence, improper delay or other conduct on the part of the solicitor affording to the client reasonable ground for changing his solicitor, shall not allow to the solicitor the full amount of the remuneration agreed to be paid to him.

62. Agreement excludes taxation.—Subject to the provisions of the two last preceding sections, the costs of a solicitor in any case where an agreement has been made in pursuance of the provisions of section fifty-nine of this Act shall not be subject to taxation, nor to the subsequent provisions of this Part of this Act with respect to the signing and delivery of a solicitors bill.

63. Miscellaneous provisions as to remuneration for contentious business.—(1) Nothing in the four last preceding sections of this Act shall give validity to—

(i) any purchase by a solicitor of the interest, or any part of the interest, of his client in any action, suit or other contentious proceeding; or

(ii) any agreement by which a solicitor retained or employed to prosecute any action, suit or other contentious proceeding stipulates for payment only in the event of success in that action, suit or proceeding; or

(iii) any disposition, contract, settlement, conveyance, delivery dealing or transfer which is under the law relating to bankruptcy invalid against a trustee or creditor in any bankruptcy or composition.

(2) A solicitor may, with respect to any contentious business to be done by him, take security from his client for his costs to be ascertained by taxation or otherwise.

(3) Subject to the provisions of any rules of court, upon every taxation of costs with respect to any contentious business, the taxing officer may—

(i) allow interest at such rate and from such time as he thinks just on moneys disbursed by the solicitor for the client, and on moneys of the client in the hands of, and improperly retained by, the solicitor;

(ii) in determining the remuneration of the solicitor, have regard to the skill, labour and responsibility involved in the business done by him.

General Provisions as to Remuneration.

64. Power of the High Court to order a solicitor to deliver his bill and to deliver up deeds.—(1) The jurisdiction of the High Court to make orders for the delivery by a solicitor of a bill of costs and for the delivery up of, or otherwise in relation to, any deeds, documents or papers in his possession, custody or power, is hereby declared to extend to cases in which no business has been done by him in the High Court.

(2) In this and the three next succeeding sections the expression "solicitor" includes the executors, administrators and assignees of the solicitor in question.

65. Action to recover solicitors' costs.—(1) Subject to the provisions of this Act, no action shall be brought to recover any costs due to a solicitor until one month after a bill thereof has been delivered in accordance with the requirements of this section:

Provided that, if there is probable cause for believing that the party chargeable with the costs is about to quit England, or to become a bankrupt, or to compound with his creditors, or to do any other act which would tend to prevent or delay the solicitor obtaining payment, the High Court may, notwithstanding that one month has not expired from the delivery of the bill, order that the solicitor be at liberty to commence an action to recover his costs and may order those costs to be taxed.

(2) The said requirements are as follows:—

(i) The bill must be signed by the solicitor, or, if the costs are due to a firm, one of the partners of that firm, either in his own name or in the name of the firm, or be enclosed in, or accompanied by, a letter which is so signed and refers to the bill, and

(ii) The bill must be delivered to the party to be charged therewith, either personally or by being sent to him by post to, or left for him at, his place of business, dwelling house, or last known place of abode and where a bill is proved to have been delivered in compliance with those requirements, it shall not be necessary in the first instance for the solicitor to prove the contents of the bill, and it shall be presumed, until the contrary is shown, to be a bill bona fide complying with this Act.

66. Taxation of bills on the application of the party chargeable or the solicitor.—(1) On the application, made within one month of the delivery of a solicitor's bill, of the party chargeable therewith, the High Court shall, without requiring any sum to be paid into court, order that the bill shall be taxed and that no action shall be commenced thereon until the taxation is completed.

(2) If no such application is made within the period mentioned in the last preceding subsection, then, on the application either of the solicitor, or of the party chargeable with the bill, the court may, upon such terms, if any, as they think fit (not being terms as to the costs of the taxation), order—

(a) that the bill shall be taxed;

(b) that, until the taxation is completed, no action shall be commenced on the bill, and any action already commenced be stayed:

Provided that—

(i) if twelve months have expired from the delivery of the bill, or if the bill has been paid, or if a verdict has been obtained or a writ of inquiry executed in an action for the recovery of the costs covered thereby, no order shall be made on the application of the party chargeable with the bill except in special circumstances and, if an order is made, it may contain such terms as regards the costs of the taxation as the Court may think fit;

(ii) in no event shall any such order be made after the expiration of twelve months from the payment of the bill.

(3) Every order for the taxation of a bill shall require the taxing officer to tax not only the bill but also the costs of the taxation and to certify what is due to or by the solicitor in respect of the bill and in respect of the costs of the taxation.

(4) If after due notice of any taxation, either party thereto fails to attend, the officer may proceed with the taxation *ex parte*.

(5) Unless—

(i) the order for taxation was made on the application of the solicitor and the party chargeable does not attend the taxation; or

(ii) the order for taxation otherwise provides, the costs of the taxation shall be paid according to the event of the taxation, that is to say, if one-sixth of the amount of the bill is taxed off, the solicitor shall pay the costs, but otherwise the party chargeable shall pay the costs:

Provided that the taxing officer may certify any special circumstances relating to the bill or the taxation thereof to the court, and the court may make thereon any such order as they think fit respecting the payment of the costs of the taxation.

67. Taxation on application of third parties and beneficiaries under trusts, &c.—(1) Where a person other than the person who is the party

chargeable with the bill for the purposes of the last preceding section, has paid, or is, or was, liable to pay, the bill either to the solicitor or to the party chargeable with the bill, that person or his administrators, executors or assignees may apply to the court for an order for the taxation of the bill as if he were the party chargeable therewith, and the court may make thereon the same order, if any, as they might have made if the application had been made by that party:

Provided that in cases where the court have no power to make an order except in special circumstances the court may, in considering whether there are special circumstances sufficient to justify them in making an order, take into account circumstances affecting the applicant but which do not affect the party chargeable with the bill.

(2) If a trustee, executor or administrator has become liable to pay the bill of a solicitor, the High Court may, upon the application of any person interested in any property out of which the trustee, executor or administrator has paid, or is entitled to pay, the bill, and upon such terms, if any, as they think fit, order the bill to be taxed, and may order such payments, in respect of the amount found due to or by the solicitor and in respect of the costs of the taxation, to be made to or by the applicant, or to or by the solicitor, or to the executor, administrator or trustee, as they think fit:

Provided that in considering any such application, the court shall have regard to—

(i) the provisions of the last preceding section as to applications by the party chargeable with the taxation of a solicitor's bill so far as they are capable of being applied to an application made under this subsection;

(ii) the extent and nature of the interest of the applicant.

(3) If an applicant under the last preceding subsection pays any money to the solicitor, he shall have the same right to be paid that money by the trustee, executor or administrator chargeable with the bill as the solicitor had.

(4) The following provisions shall apply to applications made under this section—

(i) except in special circumstances no order shall be made for the taxation of a bill which has already been taxed;

(ii) the court may, if they order taxation of the bill, order the solicitor to deliver to the applicant a copy of the bill upon payment of the costs of that copy.

68. General provisions as to taxation.—(1) Every application for an order for the taxation of a solicitor's bill or for the delivery of such a bill and the delivering up of any deeds, documents and papers by a solicitor shall be made in the matter of that solicitor.

(2) In the course of any taxation, the taxing officer may request the taxing officer of any other court to assist him in taxing any part of the bill, and the taxing officer so requested shall thereupon proceed to tax that part of the bill and shall return the bill with his opinion thereon to the first-named taxing officer.

In any such case the taxing officer who is requested to tax the part of the bill shall have such powers, and may take such fees, in respect thereof as he would have or be entitled to take if he were taxing that part of the bill in pursuance of an order of the court of which he is an officer, and the first-named taxing officer shall not take any fee in respect of that part of the bill.

(3) The certificate of the taxing officer by whom any bill has been taxed shall, unless it is set aside or altered by the court, be final as to the amount of the costs covered thereby, and the court may make such order in relation thereto as they think fit, including, in a case where the retainer is not disputed, an order that judgment be entered for the sum certified to be due with costs.

69. Charging orders.—Any court in which a solicitor has been employed to prosecute or defend any suit, matter or proceeding may at any time declare the solicitor entitled to a charge on the property, recovered or preserved through his instrumentality for his taxed costs in reference to that suit, matter or proceeding, and may make such orders for the taxation of the said costs and for raising money to pay, or for paying, the said costs out of the said property as they think fit, and all conveyances and acts done to defeat, or operating to defeat, that charge shall, except in the case of a conveyance to a bona fide purchaser for value without notice, be void as against the solicitor:

Provided that no order shall be made if the right to recover the costs is barred by any statute of limitations.

70. Savings.—Nothing in this Part of this Act shall affect the following enactments:—

(i) Section three of the Leases Act, 1845 (which regulates the taxation of the costs of preparing and executing deeds under that Act);

(ii) Section thirteen of the Matrimonial Causes Act, 1858 (which provides for the taxation of the costs of matrimonial causes);

(iii) Section two hundred and forty-nine of the Public Health Act, 1875 (which provides for the taxation, by the Clerk of the Peace, for the purposes of audit, of any solicitor's bill in respect of business performed on behalf of a local authority);

(iv) Section one hundred and eighteen of the County Courts Act, 1888 (which provides for the taxation of the costs of proceedings in the County Court);

(v) Any of the provisions of the Costs in the Criminal Cases Act, 1908 (which relates to costs in certain criminal cases);

(vi) Section one hundred and thirty-nine and paragraphs 3 and 4 of the Fourteenth Schedule to the Law of Property Act, 1922 (which contains provisions as to costs in connection with the extinguishment of manorial incidents under that Act);

(vii) Section one hundred and forty-four of the Land Registration Act, 1925 (which enables rules to be made regulating, amongst other things, the taxation and incidence of the costs of the registration of land and other matters done under that Act);

(viii) Any other enactment, not expressly repealed by this Act, which authorises the making of rules or orders or the giving of directions with respect to costs, or which provides that any such rule, order or direction made or given under a previous enactment shall continue in force.

PART VI.

MISCELLANEOUS AND GENERAL.

71. *Registration of appointment of solicitor as commissioner for oaths.*

—(1) Every commission appointing a solicitor to be a commissioner for oaths shall, before being acted upon, be produced to the registrar by or on behalf of the holder, and the registrar shall enter the particulars of every commission so produced to him in a register to be kept for the purpose and shall note upon the commission the fact and date of entry.

(2) Such fees shall be chargeable by the registrar in respect of the registration under this section of any commission as the Lord Chancellor by order may, with the concurrence of the Lord Chief Justice and the Master of the Rolls, from time to time prescribe.

(3) The register kept in pursuance of this section shall be open to inspection during office hours by any person without payment.

72. *Qualification for holding office of solicitors who have been barristers.*

—For the purposes of any statutory provision or custom whereby the qualification of a solicitor for holding any office depends upon his having been admitted and enrolled for a prescribed period, that period shall, in the case of a solicitor who before admission was a barrister, be reckoned as if he had been admitted and enrolled on the date on which he was called to the Bar.

73. *Regulations.*—The Master of the Rolls with the concurrence of the Lord Chancellor and the Lord Chief Justice or (in case of difference) of one of them may, for the purposes of the execution of Parts I to III of this Act, make general regulations with respect to the following matters or any of them, that is to say, the admission of a person as a solicitor, articles of clerkship, the issuing of practising certificates and the duties of the registrar with respect to the keeping of the Roll and the issuing of such certificates.

74. *Council of the Law Society to act on behalf of Society.*—All acts, rules and regulations authorised or required to be done or made by the Law Society under or in pursuance of this Act, or any order, rules and regulations made in pursuance of this Act, may be done or made on behalf of the Society by the Council thereof.

75. *Authentication of regulations and other documents.*—All regulations, certificates, notices and other documents made or issued by the Law Society for any purpose whatsoever may be signed on behalf of the Society by the Secretary, or by such other officer of the Society as may be from time to time prescribed by the Council.

76. *Power of registrar to inspect file of proceedings in bankruptcy of solicitor.*—The registrar shall be entitled, without payment of any fee, to inspect the file of proceedings in bankruptcy relating to any solicitor against whom proceedings in bankruptcy have been taken and to be supplied with office copies of the proceedings on payment of the usual charge for such copies.

77. *Saving for solicitors to public departments.*—Nothing in this Act shall prejudice or affect any rights or privileges of the solicitor to the Treasury or to any other public department (including the Ecclesiastical Commissioners and Queen Anne's Bounty) or to the Duchy of Cornwall, or require any such officer as aforesaid or any clerk or officer appointed to act for him to be admitted or enrolled or to hold a practising certificate in any case where it would not have been necessary for him to be admitted or enrolled or to hold such a certificate if this Act had not been passed.

78. *Saving for solicitor to the City of London.*—Nothing in this Act shall prejudice or affect any rights or privileges which immediately before the commencement of this Act attached to the office of solicitor of the City of London.

79. *Saving for persons authorised to conduct legal proceedings.*—Nothing in this Act shall affect any enactment empowering any person, not being a qualified solicitor, to conduct, defend or otherwise act in relation to any legal proceedings.

80. *Saving for jurisdiction of court and judges.*—Any person duly admitted as a solicitor shall be an officer of the Supreme Court, and shall be subject to the jurisdiction thereof in accordance with the provisions of the Supreme Court of Judicature (Consolidation) Act, 1925.

81. *Interpretation and construction of references.*—(1) In this Act, unless the context otherwise requires—

The "Law Society" or the "Society" means the society incorporated and regulated by Royal Charter, dated the twenty-sixth day of February, eighteen hundred and forty-five, and Royal Charters supplemental thereto, dated respectively the twenty-sixth day of November, eighteen hundred and seventy-two, the fourth day of June, nineteen hundred and three, and the second day of June, nineteen hundred and nine;

The "Council" means the Council of the Society elected in accordance with the provisions of the said Charters;

The "Disciplinary Committee" means the Committee appointed under section four of this Act;

"Solicitor" means a solicitor of the Supreme Court;

The "Roll" means the list of solicitors kept in accordance with the provisions of this Act;

"Client" (except in relation to non-contentious business) includes any person who as principal or on behalf of another person retains or employs, or is about to retain or employ, a solicitor, and any person who is or may be liable to pay a solicitor's costs;

"Contentious business" includes any business done by a solicitor in any court, whether as a solicitor or as an advocate;

"Non-contentious business" includes any business connected with sales, purchases, leases, mortgages, settlements and other matters of conveyancing;

"Costs" includes fees, charges, disbursements, expenses and remuneration.

(2) References in any enactment to solicitors, attorneys or proctors, or to the registrar of attorneys and solicitors shall be construed as references to solicitors and to the registrar of solicitors respectively.

82. *Repeals, &c.*—(1) The enactments mentioned in the Fourth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(2) Any admission, appointment, approval, notice, certificate, instrument, order, rule, regulation, direction, appeal or proceeding under or for the purposes of any enactment repealed by this Act shall be treated as an admission, appointment, approval, notice, certificate, instrument, order, rule, regulation, direction, appeal or proceeding under or for the purposes of the corresponding provision of this Act.

(3) Any document referring to any Act or enactment repealed by this Act shall be construed as referring to this Act or the corresponding enactment in this Act, and any register, roll or list kept under any Act or enactment so repealed shall be deemed part of the register, roll or list to be kept under the corresponding provisions of this Act.

(4) Nothing in this section shall affect the general application of section thirty-eight of the Interpretation Act, 1889, with regard to the effect of repeals.

83. *Short title, commencement and extent.*—(1) This Act may be cited as the Solicitors Act, 1932.

(2) This Act shall come into operation on the first day of October, nineteen hundred and thirty-two.

(3) This Act shall not extend to Scotland or Northern Ireland.

SCHEDULES.

FIRST SCHEDULE.

PROVISIONS WITH RESPECT TO THE LENGTH OF A PERSON'S TERM OF ARTICLED SERVICE.

Certain Graduates.

1. In the case of any person who, before entering into articles, has taken a degree, not being an honorary degree, in arts, law or science at any University specified in the Second Schedule to this Act, the term shall be three years.

Certain Women Students at Universities.

2. In the case of a woman who, before entering into articles, has resided at any University specified in the Second Schedule to this Act under the conditions required of women by that University and for the period necessary thereat for a man to obtain such a degree as is mentioned in the last preceding paragraph, and has passed, at a date when that University did not admit women to degrees, the final examination necessary thereat for a man to obtain such a degree, the term shall be three years.

Barristers.

3. In the case of a person who has been called to the Bar in England and who ceases to be a barrister before entering into articles, the term shall be three years.

4. In the case of a person who has been called to the Bar in England and who, before being so called was bound by articles for a term of five years and served thereunder for three years and who has ceased to be a barrister before presenting himself for his final examination, the term of three years served under such articles as aforesaid shall suffice if those articles were determined with the consent, endorsed thereon, of the solicitor with whom they were entered into.

Scottish Advocates, Writers to the Signet, &c.

5. In the case of a person who, before entering into articles, has been admitted a member of the Faculty of Advocates in Scotland or has been admitted and enrolled as a Writer to the Signet, or as a solicitor in the Supreme Courts of Scotland, or as a Procurator before any of the Sheriff Courts of Scotland, the term shall be three years.

Solicitors' Clerks after Ten years' Service.

6. In the case of any person who, before entering into articles, has been for ten years a bona fide clerk to a solicitor and has during that term been bona fide engaged in the transaction and performance under the direction and superintendence of that solicitor of such matters of business as are usually transacted and performed by solicitors and who

produces to the examiners appointed by the Society satisfactory evidence that he has served faithfully, honestly and diligently as such, the term shall be three years.

Persons having passed certain Examinations.

7. The Master of the Rolls, with the concurrence of the Lord Chancellor and the Lord Chief Justice or of one of them may make regulations directing that in the case of any person who has passed any examination held in or by a University specified in the Second Schedule to this Act, or any college or educational institution specified in the regulations, the term shall be four years.

Other Persons.

8. In the case of any other person, the term shall be five years.

SECOND SCHEDULE.

UNIVERSITIES RECOGNISED FOR CERTAIN PURPOSES OF THIS ACT.

(i) The Universities of Aberdeen, Birmingham, Bristol, Cambridge, Dublin, Durham, Edinburgh, Glasgow, Leeds, Liverpool, London, Oxford, Sheffield, St. Andrew's and Wales, the Victoria University of Manchester, the National University of Ireland and the Queen's University of Belfast; and

(ii) Any University in the United Kingdom added to the foregoing list by order of the Board of Education made after consultation with the Society and with the concurrence of the Lord Chancellor, the Lord Chief Justice and the Master of the Rolls, or any two of them.

THIRD SCHEDULE.

FORMS.

A.

DECLARATION FOR OBTAINING PRACTISING CERTIFICATE.

No. 19.
I hereby declare that _____ was
admitted an Attorney of (a) _____ in
term in the year _____ (or) a Solicitor of the Supreme Court in
the month of _____ in the year _____ and that
my place(s) of business are as follows (b) :—
Dated this _____ day of _____ 19 _____.
Signature _____
(Partner or London agent of the said _____)
To the Law Society.

B.

PRACTISING CERTIFICATE.

No. 40.
Pursuant to the Solicitors Act, 19 _____, the Law Society, as the
registrar of Solicitors, hereby certifies that
Solicitor of the Supreme Court, whose place(s)
of business are at _____, has this
day left with the secretary of the said society a declaration in writing
signed by (c) _____, containing his name
and place or places of business, together with the term and year, or
the month and year, in or as of which he was admitted, and hereby
further certifies that the said Solicitor is duly enrolled a Solicitor of
the Supreme Court, and is entitled to practice as such Solicitor on this
certificate being duly stamped as required by law.

Given under the hand of the secretary of the Law Society this _____ day
of _____ 19 _____.
Produced and entered this _____ day of _____ 19 _____.
Secretary.

(a) One Court is sufficient.

(b) If removed since last certificate state such removal.

(c) "The said Solicitor" or "the said Solicitor's partner on his behalf" or "the said Solicitor's London Agent" as the case may be. The name of the partner or agent need not be inserted here.

* If this certificate is stamped after the 1st January, it must be produced to the Law Society within a month of the payment of the duty.

If a notary, this certificate should be entered at the Faculty office.

FOURTH SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short title.	Extent of Repeal.
2 & 3 Vict. c. 33.	The Solicitors (Clerks) Act, 1839.	Section nine.
6 & 7 Vict. c. 73.	The Solicitors Act, 1843.	The whole Act.
7 & 8 Vict. c. 86.	The Solicitors (Clerks) Act, 1844.	Section four.
23 & 24 Vict. c. 127.	The Solicitors Act, 1860.	The whole Act, except :— (i) in section twenty-two, the words "Any List of Solicitors"

Session and Chapter.	Short Title.	Extent of Repeal.
33 & 34 Vict. c. 28.	The Attorneys' and Solicitors' Act, 1870.	"torts and Conveyancers purporting to be published by the Authority of the Commissioners of Inland Revenue and to contain the Names of Solicitors and Conveyancers who have obtained stamped Certificates for the current Year on or before the First Day of January in the same Year, shall, until the contrary be made to appear, be Evidence in all Courts, and before all Justices of the Peace and others, that the Persons named therein as Conveyancers holding such Certificates as aforesaid for the current Year are Conveyancers holding such Certificates; and the Absence of the Name of any Person from such List shall, until the contrary be made to appear, be Evidence as aforesaid that such Person is not qualified to practice as a Conveyancer under a Certificate for the current Year; but in the case of any Person being a Conveyancer whose Name does not appear on such List, the Fact of his being so shall be proved in the Way in which it is now by Law required to be proved"; and (ii) Sections twenty - seven, thirty-four and thirty-five. In section three, the words from "the words following" to "proctors" and from the word "Client" to the end of the section. Sections four to eighteen. The whole Act.
35 & 36 Vict. c. 81.	The Attorney and Solicitors Act (1860) Amendment Act, 1872.	The whole Act.
37 & 38 Vict. c. 68.	The Attorneys and Solicitors Act, 1874.	The whole Act.
38 & 39 Vict. c. 79.	The Legal Practitioners Act, 1875.	The whole Act.
40 & 41 Vict. c. 25.	The Solicitors Act, 1877.	The whole Act.
40 & 41 Vict. c. 62.	The Legal Practitioners Act, 1877.	The whole Act.
44 & 45 Vict. c. 44.	The Solicitors Remuneration Act, 1881.	The whole Act.
51 & 52 Vict. c. 65.	The Solicitors Act, 1888.	The whole Act.
54 & 55 Vict. c. 39.	The Stamp Act, 1891.	Section forty-four.
57 Vict. c. 9.	The Solicitors Act, 1894.	The whole Act.
58 & 59 Vict. c. 25.	The Mortgagees Legal Costs Act, 1895.	The whole Act.
62 & 63 Vict. c. 4.	The Solicitors Act, 1899.	The whole Act.
62 & 63 Vict. c. 14.	The London Government Act, 1899.	Subsection (3) of section twenty-four.
63 & 64 Vict. c. 14.	The Colonial Solicitors Act, 1900.	The whole Act.
6 Edw. 7. c. 16.	The Justices of the Peace Act, 1906.	In section three, from the word "but" to the end of the section.
6 Edw. 7. c. 24.	The Solicitors Act, 1906.	The whole Act.
9 & 10 Geo. 5. c. 56.	The Solicitors Act, 1919.	The whole Act.

Session and Chapter.	Short Title.	Extent of Repeal.
9 & 10 Geo. 5, c. 71.	The Sex Disqualification (Removal) Act, 1919.	Section two.
11 & 12 Geo. 5, c. 32.	The Finance Act, 1921.	Section sixty.
12 & 13 Geo. 5, c. 57.	The Solicitors Act, 1922.	The whole Act.
15 & 16 Geo. 5, c. 21.	The Land Registration Act, 1925.	Sections one hundred and eighteen and one hundred and forty-six.
15 & 16 Geo. 5, c. 49.	The Supreme Court of Judicature (Consolidation) Act, 1925.	Subsections (2) and (3) of section two hundred and fifteen. In subsection (1) of section two hundred and sixteen, the words from "and (b)" to "appointment."
18 & 19 Geo. 5, c. 22.	The Solicitors Act, 1928.	The whole Act.

CHAPTER 38.**HIRE PURCHASE AND SMALL DEBT (SCOTLAND) ACT, 1932.**

An Act to amend the law of Scotland with regard to the purchase and hire of articles not exceeding twenty pounds in value by payment in instalments, and with regard to proceedings in the sheriff's small debt court. [12th July, 1932.]

CHAPTER 39.**EXTRADITION ACT, 1932.**

An Act to include offences in relation to dangerous drugs, and attempts to commit such offences, among extradition crimes. [12th July, 1932.]
Be it enacted, etc. :-

1. *Amendment of 33 & 34 Vict. c. 52, Sched. I.*—The Extradition Act, 1870, shall be construed as if offences against any enactment for the time being in force relating to dangerous drugs, and attempts to commit such offences, were included in the list of crimes in the First Schedule to that Act.

2. *Short title and citation.*—This Act may be cited as the Extradition Act, 1932, and the Extradition Acts, 1870 to 1906, and this Act may be cited together as the Extradition Acts, 1870 to 1932.

CHAPTER 40.**GAS UNDERTAKINGS ACT, 1932.**

An Act to amend the law with respect to gas undertakings. [12th July, 1932.]

CHAPTER 41.**ISLE OF MAN (CUSTOMS) (No. 2) ACT, 1932.**

An Act to amend the law with respect to Customs in the Isle of Man. [12th July, 1932.]

CHAPTER 42.**PUBLIC WORKS LOANS ACT, 1932.**

An Act to grant money for the purpose of certain local loans out of the Local Loans Fund, and for other purposes relating to local loans. [12th July, 1932.]

CHAPTER 43.**MALTA CONSTITUTION ACT, 1932.**

An Act to amend the Constitution of Malta and to remove doubts as to the validity of certain Letters Patent and other enactments relating to Malta. [12th July, 1932.]

CHAPTER 44.**BILLS OF EXCHANGE ACT (1882) AMENDMENT ACT, 1932.**

An Act to amend the Bills of Exchange Act, 1882. [12th July, 1932.]
Be it enacted, etc. :-

1. *Amendment as to cheques drawn by a bank on itself.*—Sections seventy-six to eighty-two of the Bills of Exchange Act, 1882 (which relate to crossed cheques), as amended by the Bills of Exchange (Crossed

Cheques) Act, 1906, shall apply to a banker's draft as if the draft were a cheque.

For the purposes of this section, the expression "banker's draft" means a draft payable on demand drawn by or on behalf of a bank upon itself, whether payable at the head office or some other office of the bank.

2. *Short title.*—This Act may be cited as the Bills of Exchange Act (1882) Amendment Act, 1932.

CHAPTER 45.**RIGHTS OF WAY ACT, 1932.**

An Act to amend the law relating to public rights of way; and for purposes connected therewith. [12th July, 1932.]
Be it enacted, etc. :-

1. *Public use of way for twenty years conclusive that way is a public highway.*—(1) Where a way, not being of such a character that user thereof by the public could not give rise at common law to any presumption of dedication, upon or over any land has been actually enjoyed by the public as of right and without interruption for a full period of twenty years, such way shall be deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate such way, or unless during such period of twenty years there was not at any time any person in possession of such land capable of dedicating such way.

(2) Where any such way has been enjoyed as aforesaid for a full period of forty years, such way shall be deemed conclusively to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate such way.

(3) A notice by the owner of the land over which any such way passes inconsistent with the dedication of the way as a highway, placed before or after and maintained after the commencement of this Act in such a manner as to be visible to those using the way, shall, in the absence of proof of a contrary intention, be sufficient evidence to negative the intention to dedicate such way as a highway, and where a notice has been placed in the manner provided in this subsection and is subsequently torn down or defaced, notice in writing by the owner of the land to the council of the county and of the borough or urban or rural district council in which the way is situate that the way is not dedicated to the public shall, in the absence of proof of a contrary intention, be sufficient evidence to negative the intention of the owner of the land to dedicate such way as a highway.

(4) (a) The owner of any land shall be at liberty to deposit at any time after the commencement of this Act with the council of the county and with the council of the borough, urban district or rural district in which the said land is situate—

(i) a map on a scale of not less than six inches to one mile on which such land shall be delineated; and

(ii) a statement indicating what ways he admits have been dedicated as highways.

(b) In any case in which a deposit under paragraph (a) of this subsection has been made, statutory declarations made by the owner aforesaid or by his successors in title and lodged by him or them with the councils aforesaid at any time prior to the expiration of six years from the date of such deposit or prior to the expiration of six years from the date on which any previous declarations were lodged under this paragraph to the effect that no additional ways (other than any specifically indicated in such declaration) over the lands delineated on the said map have been dedicated to the public since the date of such deposit or since the date of the lodgment of such previous declarations (as the case may be) shall in the absence of proof of a contrary intention be sufficient evidence to negative the intention of the owner or his successors in title to dedicate any such additional ways as highways.

(5) In the case of land in the possession of a tenant for a term of years or from year to year let on lease, any person for the time being entitled in reversion to the land shall, notwithstanding the existence of any such tenancy, have the right to place and maintain such notice as aforesaid, but so that no injury is done thereby to the business or occupation of the tenant.

(6) Each of the respective periods of years mentioned in this section shall be deemed and taken to be the period next before the time when the right of the public to use a way shall have been brought into question by notice as aforesaid or otherwise.

(7) Nothing in this section contained shall affect any incapacity of a corporation or other body or person in possession of land for public or statutory purposes to dedicate any such way where such way would be incompatible with such public or statutory purposes.

(8) For the purposes of this section the expression "land" includes land covered with water.

2. *Savings.*—(1) Nothing in this Act shall affect any proceedings pending at the commencement of this Act, and where in respect of any way a court of competent jurisdiction decides in proceedings so pending, or has before the commencement of this Act decided, that the way is not a highway, this Act shall not apply except as respects enjoyment of the way after the date of the decision.

(2) Nothing in this Act shall operate to prevent the dedication of a way as a highway being presumed on proof of user for any less period than twenty years or to prevent the dedication of a way as a highway

being presumed or proved under any circumstances under which it can be presumed or proved at the time of the passing of this Act.

3. *Provision as to evidence.*—Any court or other tribunal shall, before determining (a) whether a way upon or over any land has or has not been dedicated as a highway, or (b) the date upon which such dedication, if any, took place, take into consideration any map, plan or history of the locality or other relevant document that is tendered in evidence, and such weight shall be given thereto as the court or tribunal consider justified by the circumstances, including the antiquity of the tendered document, the status of the person or persons by whom it was made or compiled, its purpose, and the custody in which it has been kept and from which it is produced.

4. *Protection of rights.*—The person entitled to the remainder or reversion immediately expectant upon the determination of a tenancy for life or pour autre vie in land shall have the like remedies by action for trespass or an injunction to prevent the acquisition by the public of a right of way over such land as if he were in possession thereof.

5. *Extent of Act.*—This Act shall not apply to Scotland or Northern Ireland.

6. *Commencement of Act.*—This Act shall come into operation on the first day of January, nineteen hundred and thirty-four.

7. *Short title.*—This Act may be cited as the Rights of Way Act, 1932.

CHAPTER 46.

CHILDREN AND YOUNG PERSONS ACT, 1932.

An Act to make further and better provision for the protection and welfare of the young and the treatment of young offenders; to amend the Children Act, 1908, and other enactments relating to the young; and for objects connected with the purposes aforesaid.

[12th July 1932.]

CHAPTER 47.

CHILDREN AND YOUNG PERSONS (SCOTLAND) ACT, 1932.

An Act to make further and better provision in Scotland for the protection and welfare of the young and the treatment of young offenders; to amend in their application to Scotland the Children Act, 1908, and other enactments relating to the young; and for objects connected with the purposes aforesaid.

[12th July 1932.]

CHAPTER 48.

TOWN AND COUNTRY PLANNING ACT, 1932.

An Act to authorise the making of schemes with respect to the development and planning of land, whether urban or rural, and in that connection to repeal and re-enact with amendments the enactments relating to town planning; to provide for the protection of rural amenities and the preservation of buildings and other objects of interest or beauty; to facilitate the acquisition of land for garden cities; and to make other provision in connection with the matters aforesaid.

[12th July 1932.]

CHAPTER 49.

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT, 1932.
An Act to authorise the making of schemes with respect to the development and planning of land in Scotland, whether urban or rural, and in that connection to repeal and re-enact with amendments the enactments relating to town planning; to provide for the protection of rural amenities and the preservation of buildings and other objects of interest or beauty; to facilitate the acquisition of land in Scotland for garden cities; and to make other provision in connection with the matters aforesaid.

[12th July 1932.]

CHAPTER 50.

APPROPRIATION ACT, 1932.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and thirty-three, and to appropriate the Supplies granted in this Session of Parliament.

[13th July, 1932.]

CHAPTER 51.

SUNDAY ENTERTAINMENTS ACT, 1932.

An Act to permit and regulate the opening and use of places on Sundays for certain entertainments and for debates, and for purposes connected with the matters aforesaid.

[13th July, 1932.]

CHAPTER 52.

NATIONAL HEALTH INSURANCE AND CONTRIBUTORY PENSIONS ACT, 1932.

An Act to amend the enactments relating to National Health Insurance; to amend the Widows', Orphans' and Old Age Contributory Pensions

Act, 1925, by making provision for the payment of pensions thereunder in respect of the insurance of persons who cease to be insured within twelve months before death or before attaining the age of sixty-five, and by modifying the statutory conditions applicable to such pensions in the case of persons who, after ceasing to be insured, again become insured; to repeal subsection (7) of section forty-four of the said Act; and for purposes connected therewith.

[13th July, 1932.]

CHAPTER 53.

OTTAWA AGREEMENTS ACT, 1932.

An Act to enable effect to be given to the Agreements made on the twentieth day of August, nineteen hundred and thirty-two, at the Imperial Economic Conference held at Ottawa, and to a certain announcement made at that Conference on behalf of His Majesty's Government in the United Kingdom, by imposing and providing for the imposition of certain duties of customs and otherwise, to make further provision for Imperial preference, and for purposes consequential on and connected with the matters aforesaid.

[15th November, 1932.]

CHAPTER 54.

TRANSITIONAL PAYMENTS (DETERMINATION OF NEED) ACT, 1932.

An Act to provide that certain rules shall be complied with in determining the need of applicants for transitional payments under the Unemployment Insurance (National Economy) (No. 2) Order 1931; and to enable the same rules to be observed in granting outdoor relief under the enactments relating to the poor law.

[17th November, 1932.]

CHAPTER 55.

ADMINISTRATION OF JUSTICE ACT, 1932.

An Act to amend the law with respect to appeals from decisions of official referees, to amend in certain particulars the Supreme Court of Judicature (Consolidation) Act, 1925, and section thirty-eight of the Solicitors Act, 1932, and to make provision for the costs of applications under section eighty-four of the Law of Property Act, 1925.

[17th November, 1932.]

Be it enacted, etc. :—

1. *Appeals from decisions of official referees.*—(1) As from the date on which this section comes into operation, the following provisions shall have effect with respect to appeals from decisions of official referees in causes, matters, questions and issues which have been ordered under section eighty-nine of the Supreme Court of Judicature (Consolidation) Act, 1925 (in this Act referred to as "the principal Act"), to be tried before an official referee :—

(a) An appeal shall lie to the Court of Appeal from any decision of an official referee on a point of law ;

(b) Subject as aforesaid no decision of an official referee shall be called in question either by appeal or otherwise, and section ninety-four of the principal Act (which provides for the stating in the form of a special case of any question of law arising in the course of a reference) shall cease to have effect in relation to official referees.

(2) This section shall come into operation on such date as the Lord Chancellor may by order direct.

(3) Nothing in this section shall affect any appeal in respect of which notice of motion is served before the date on which this section comes into operation.

2. *Power to grant probate or administration where no estate.*—(1) Notwithstanding anything in section twenty or any other of the provisions of the principal Act, the High Court shall have jurisdiction to make a grant of probate or administration in respect of a deceased person notwithstanding that the deceased person left no estate.

(2) In subsection (2) of section one hundred and fifty-six of the principal Act (which relates to calendars of grants made in Probate Registries) the words "if any" shall be added after the words "value of the estate."

3. *Amendment of s. 152 of the principal Act.*—The following paragraph shall be added at the end of subsection (3) of section one hundred and fifty-two of the principal Act (which provides for the filing in the principal probate registry of the notices of applications made in district probate registries for grants of probate or administration) :

"The President of the Probate Division may from time to time give directions for the disposal whether by destruction or otherwise, of such of the notices kept in the principal Probate Registry in pursuance of this subsection as have, in his opinion, ceased, owing to lapse of time, to be of any public value."

4. *Amendment of s. 174 of the principal Act.*—In subsection (1) of section one hundred and seventy-four of the principal Act (which makes provision with respect to the seal to be used in Probate Registries) the words "such seal or seals" shall be substituted for the words "such seal."

5. *Amendment of 22 & 23 Geo. 5, c. 37, s. 38.*—Section thirty-eight of the Solicitors Act, 1932 (which gives to the Registrar of Solicitors and, on appeal, to the Master of the Rolls a discretion as to issuing a practising

certificate in certain cases, including the case where a solicitor applies for a practising certificate having neglected so to do for twelve months after the expiration of the last certificate issued to him) shall have effect and shall be deemed always to have had effect as if for the words therein "having neglected so to do for twelve months" there were substituted the words "having neglected to obtain such a certificate within twelve months."

6. *Costs of applications under 15 & 16 Geo. 5, c. 20, s. 84.*—The following subsection shall be added at the end of section eighty-four of the Law of Property Act, 1925 (which gives the Authority, as defined in that section, power on application to discharge or modify restrictive covenants affecting land):—

"(13) The costs of and incidental to every application to the Authority under this section shall be in the discretion of the Authority, who may direct by whom and to whom and in what manner the costs or any part thereof are to be paid, and may either tax the amount of the costs directed to be paid or direct in what manner they are to be taxed."

7. *Short title.*—This Act may be cited as the Administration of Justice Act, 1932.

CHAPTER 1.

CONSOLIDATED FUND (No. 1) ACT, 1932 (SESSION 2).

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and thirty-three.
[22nd December, 1932.]

CHAPTER 2.

EXPIRING LAWS CONTINUANCE ACT, 1932.

An Act to continue certain expiring laws. [22nd December, 1932.]

Whereas the Acts mentioned in the Schedule to this Act are, in so far as they are in force and are temporary in their duration, limited to expire, as respects those mentioned in Part I. of that Schedule, on the thirty-first day of December, nineteen hundred and thirty-two, and, as respects that mentioned in Part II. thereof, in England on the twenty-fifth day of December, nineteen hundred and thirty-two, and in Scotland on the twenty-eighth day of May, nineteen hundred and thirty-three:

And whereas it is expedient to provide for the continuance, as in this Act mentioned, of those Acts and of the enactments amending or affecting the same:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. *Continuance of Acts in Schedule.*—(1) The Acts mentioned in Part I. of the Schedule to this Act shall, to the extent specified in column three of that Schedule, be continued until the thirty-first day of December, nineteen hundred and thirty-three.

(2) The Act mentioned in Part II. of the Schedule to this Act shall, to the extent specified in column three of that Schedule, be continued in England until the twenty-fifth day of December, nineteen hundred and thirty-three, and in Scotland until the twenty-eighth day of May, nineteen hundred and thirty-four.

(3) Any unrevoked enactments which are temporary in their duration, shall, in so far as they amend or affect the enactments continued by the foregoing provisions of this Act, be continued in like manner, whether they are mentioned in the Schedule to this Act or not.

2. *Short title and application to Northern Ireland.*—(1) This Act may be cited as the Expiring Laws Continuance Act, 1932.

(2) This Act shall apply to Northern Ireland in so far as it deals with any enactment relating to a subject with respect to which the Parliament of Northern Ireland has not power to make laws, but subject to this provision this Act shall not apply to Northern Ireland.

SCHEDULE.

PART I.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(1) 4 Edw. 7. c. 24.	The Wireless Telegraphy Act, 1904.	The whole Act	6 Edw. 7. c. 13. 15 & 16 Geo. 5. c. 67. 16 & 17 Geo. 5. c. 54.
(2) 2 Geo. 5. c. 2.	The Coal Mines (Minimum Wage) Act, 1912.	The whole Act.	—

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(3) 9 & 10 Geo. 5. c. 92	The Aliens Restriction (Amendment) Act, 1919.	Section one.	—
(4) 9 & 10 Geo. 5. c. 97.	The Land Settlement (Scotland) Act, 1919.	Section two	12 & 13 Geo. 5. c. 52.
(5) 10 & 11 Geo. 5. c. 21.	The Harbours, Docks and Piers (Temporary Increase of Charges) Act, 1920.	The whole Act	12 & 13 Geo. 5. c. 23.
(6) 10 & 11 Geo. 5. c. 47.	The Ministry of Food (Continuance) Act, 1920.	So far as it authorises the making or revoking, in whole or in part, of Part III. of the Sale of Food Order, 1921, and provides for the enforcement, and imposes penalties for the breach, thereof.	—
(7) 10 & 11 Geo. 5. c. 57.	The Unemployment (Relief Works) Act, 1920.	The whole Act	20 & 21 Geo. 5. c. 50.
(8) 10 & 11 Geo. 5. c. 65.	The Employment of Women, Young Persons and Children Act, 1920.	Section two.	—
(9) 10 & 11 Geo. 5. c. 77.	The Dyestuffs (Import Regulation) Act, 1920.	The whole Act.	—
(10) 11 & 12 Geo. 5. c. 64.	The Poor Law Emergency Provisions (Scotland) Act, 1921.	The whole Act except subsection (4) of section two.	13 & 14 Geo. 5. c. 6. 14 & 15 Geo. 5. c. 9. 15 & 16 Geo. 5. c. 35. 17 Geo. 5. c. 3.
(11) 14 & 15 Geo. 5. c. 34.	The London Traffic Act, 1924.	The whole Act.	—
(12) 16 & 17 Geo. 5. c. 28.	The Mining Industry Act, 1926.	Section eighteen	—
(13) 17 Geo. 5. c. 3.	The Poor Law Emergency Provisions (Scotland) Act, 1927.	Sections one, three and five.	—
(14) 20 & 21 Geo. 5. c. 50.	The Public Works Facilities Act, 1930.	The whole Act.	—

PART II.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(15) 10 & 11 Geo. 5. c. 17.	The Increase of Rent and Mortgage Interest (Restrictions) Act, 1920.	The whole Act	13 & 14 Geo. 5. c. 32. 14 & 15 Geo. 5. c. 18. 15 & 16 Geo. 5. c. 32.

INDEX TO STATUTES.

Chap.	Title.	Statutes Page.
22 GEO. 5.		
8	Import Duties Act, 1932	3
9	Merchant Shipping (Safety and Load Line Conventions) Act, 1932 ..	3
10	Veterinary Surgeons (Irish Free State Agreement) Act, 1932 ..	3
11	Northern Ireland (Miscellaneous Provisions) Act, 1932 ..	3
12	Destructive Imported Animals Act, 1932	4
13	Financial Emergency Enactments (Continuance) Act, 1932	4
14	Consolidated Fund (No. 1) Act, 1932	4
15	Dangerous Drugs Act, 1932	4
16	Isle of Man (Customs) Act, 1932	4
17	Tanganyika and British Honduras Loans Act, 1932	4
18	Rating and Valuation Act, 1932	4
19	Transitional Payments Prolongation (Unemployed Persons) Act, 1932 ..	4
20	Chancel Repairs Act, 1932	4
21	President of the Board of Trade Act, 1932	5
22	Army and Air Force (Annual) Act, 1932	5
22 & 23 GEO. 5.		
23	Grey Seals Protection Act, 1932	5
24	Wheat Act, 1932	5
25	Finance Act, 1932	5
26	Universities (Scotland) Act, 1932	5
27	Law of Property (Entailed Interests) Act, 1932	5
28	Public Health (Cleansing of Shell-Fish) Act, 1932	5
29	Coal Mines Act, 1932	5
30	Irish Free State (Special Duties) Act, 1932	6
31	Marriage (Naval, Military and Air Force Chapels) Act, 1932	6
32	Patents and Designs Act, 1932	6
33	Rating and Valuation (No. 2) Act, 1932	6
34	British Museum Act, 1932	6
35	Agricultural Credits Act, 1932	6
36	Carriage by Air Act, 1932	6
37	Solicitors Act, 1932	6
38	Hire Purchase and Small Debt (Scotland) Act, 1932	16
39	Extradition Act, 1932	16
40	Gas Undertakings Act, 1932	16
41	Isle of Man (Customs) (No. 2) Act, 1932	16
42	Public Works Loan Act, 1932	16
43	Malta Constitution Act, 1932	16
44	Bills of Exchange Act (1882) Amendment Act, 1932	16
45	Rights of Way Act, 1932	16
46	Children and Young Persons Act, 1932	17
47	Children and Young Persons (Scotland) Act, 1932	17
48	Town and Country Planning Act, 1932	17
49	Town and Country Planning (Scotland) Act, 1932	17
50	Appropriation Act, 1932	17
51	Sunday Entertainments Act, 1932	17
52	National Health Insurance and Contributory Pensions Act, 1932 ..	17
53	Ottawa Agreements Act, 1932	17
54	Transitional Payments (Determination of Need) Act, 1932	17
55	Administration of Justice Act, 1932	17
23 GEO. 5.		
1	Consolidated Fund (No. 1) Act, 1932 (Session 2)	18
2	Expiring Laws Continuance Act, 1932	18